

karolus rex amicus imperatoris augusti. Pipin rex frater eius filius eius



CHARLEMAGNE'S PRACTICE OF EMPIRE

JENNIFER R. DAVIS



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Charlemagne's Practice of Empire

Revisiting one of the great puzzles of European political history, Jennifer Davis examines how the Frankish king Charlemagne and his men held together the vast new empire he had created during the first decades of his reign. Davis explores how Charlemagne overcame the two main problems of ruling an empire, namely, how to delegate authority and how to manage diversity. Through a meticulous reconstruction based on primary sources, she demonstrates that rather than imposing a pre-existing model of empire onto conquered regions, Charlemagne and his men learned from them, developing a practice of empire that allowed the emperor to rule on a European scale. As a result, Charlemagne's realm was more flexible and diverse than has long been believed. Telling the story of Charlemagne's rule using sources produced during the reign itself, Davis offers a new interpretation of Charlemagne's political practice, free from the distortions of later legend.

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Jennifer R. Davis

The Catholic University of America



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In memory of my grandfather
Irwin Isroff
1920–2014

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About ten years ago, Rosamond McKitterick told me that what I thought was a dissertation about Charlemagne founded on an analysis of the capitulary (royal law) manuscripts really needed to be two separate books, one analyzing Charlemagne's rulership and a second on the capitulary tradition as it emerges from the manuscript evidence. I did not take her advice at the time, but I have now done as she so sagely suggested, and turned my overstuffed dissertation into a book on Charlemagne and a book on capitularies. It seems then a fitting place to begin my thanks to those who have helped shape this book with Rosamond. From the time I first came to work with her at Cambridge, she has often seen the contours of my work more clearly than I did. Both this book and, even more so, the capitularies volume depend on an analysis of the manuscript tradition that I could never have undertaken without her guidance.

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Note on terminology

I will consistently refer to King Charles the Great as Charlemagne, given that this is traditional English usage. I will also typically call him “king” rather than “emperor,” as I will argue below that the royal title is the one which was used most consistently by the court itself and is the title that best expresses Charlemagne’s sense of his own power.

I will refer to places by their common English names, when such exist: For example, Cologne, rather than Köln. When there is not a familiar English equivalent, I will use the modern name employed in the country in which the place is now located, for instance, Reisbach. I will use a hyphenated form to distinguish a religious institution from the saint for which it is named, in countries where such usage is typical. So, for example, Saint-Denis refers to the monastery, and St. Denis to the saint. This does not hold for manuscript shelfmarks, which are cited using the standard form for each institution.

For personal names, I will employ traditional English usage, when such exists, for example, Alcuin or Wala. Figures with names which can be easily translated into English will be referred to as such, for example, William of Gellone. Other names will be left in the form in which they are found in the sources. When alternate spellings are used for the same individual, I will choose one form that seems to best fit the sources. All references to a given individual will therefore be consistent, but alternate spellings of the same name for different people may be employed. I have also standardized, for the sake of consistency, certain words regularly spelled in alternate ways, for example, I persistently use *medioevo*, rather than *medio evo* or *Medio evo*, and so on.

All translations are mine, unless otherwise indicated. There are English-language translations of many of the sources for the reign of Charlemagne; these are indicated not in the Notes, but in the Bibliography.

Abbreviations

<i>AfD</i>	<i>Archiv für Diplomatik: Schriftgeschichte Siegel- und Wappenkunde</i>
<i>BdF</i>	Beihefte der Francia
<i>CC</i>	<i>Corpus Christianorum</i>
	<i>CM: Continuatio Medievalis</i>
<i>CDL</i>	<i>Codice diplomatico longobardo</i> (with volume number) Vol. 1, ed. L. Schiaparelli, <i>Fonti per la storia d'Italia LXII</i> (Rome: Istituto storico italiano per il medioevo, 1929) Vol. 2, ed. L. Schiaparelli, <i>Fonti per la storia d'Italia LXIII</i> (Rome: Istituto storico italiano per il medioevo, 1933) Vol. 3.1, ed. C. Brühl, <i>Fonti per la storia d'Italia LXIV</i> (Rome: Istituto storico italiano per il medioevo, 1973) Vol. 4.1, ed. C. Brühl, <i>Fonti per la storia d'Italia LXV</i> (Rome: Istituto storico italiano per il medioevo, 1981) Vol. 4.2, begun by L. Schiaparelli and C. Brühl and completed by H. Zielinski, <i>Fonti per la storia d'Italia LXV</i> (Rome: Istituto storico italiano per il medioevo, 2003) Vol. 5, begun by L. Schiaparelli and C. Brühl and completed by H. Zielinski, <i>Fonti per la storia d'Italia LXVI</i> (Rome: Istituto storico italiano per il medioevo, 1986)
<i>CdV</i>	<i>Capitulare de Villis. Cod. Guelf. 254 Helmst. der Herzog August Bibliothek Wolfenbüttel.</i> ed. C. Brühl (Stuttgart: Müller und Schindler, 1971)
<i>ChLA</i>	<i>Chartae Latinae Antiquiores: Facsimile Edition of the Latin Charters</i> , ed. A. Bruckner, et al., (Zurich: Urs Graf Verlag, 1954–)
<i>DA</i>	<i>Deutsches Archiv für Erforschung des Mittelalters</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>EME</i>	<i>Early Medieval Europe</i>
<i>FMS</i>	<i>Frühmittelalterliche Studien</i>
<i>Hj</i>	<i>Historisches Jahrbuch</i>

HZ	<i>Historische Zeitschrift</i>
MGH	<i>Monumenta Germaniae Historica</i>
	<i>AG: Die Admonitio Generalis Karls des Grossen</i> , ed. H. Mordek, K. Zechiel-Eckes, and M. Glatthaar, MGH, <i>Fontes iuris germanici antiqui in usum scholarum separatim editi</i> XVI (Hanover: Hahn, 2012)
	<i>Diplomata: Die Urkunden Pippins, Karlmanns und Karls des Grossen</i> , MGH, <i>Diplomata Karolinorum</i> I, ed. E. Mühlbacher, with A. Dopsch, J. Lechner, and M. Tangl (Hanover: Hahn, 1906): Diplomas of Charlemagne: DK; of Pippin: DP; of Carloman II: DCarloman
	<i>EP: Epistolae</i>
	<i>LL: Leges</i>
	<i>Capit. I: Capitularia regum Francorum</i> , vol. I, ed. A. Boretius (Hanover: Hahn, 1883)
	<i>Capit. II: Capitularia regum Francorum</i> , vol. II, ed. A. Boretius and V. Krause (Hanover: Hahn, 1897)
	<i>CEP</i> with volume no.: <i>Capitula Episcoporum</i> , vol. 1, ed. P. Brommer (Hanover: Hahn, 1984); vol. 2, ed. R. Pokorny and M. Stratmann, with W.-D. Runge (Hanover: Hahn, 1995); vol. 3, ed. R. Pokorny (Hanover: Hahn, 1995); vol. 4, ed. R. Pokorny with V. Lukas (Hanover: Hahn, 2005)
	<i>Conc. II: Concilia: LL III, Concilia</i> , vol. II, part I, <i>Concilia Aevi Karolini</i> , vol. I, part I, ed. A. Werminghoff (Hanover and Leipzig: Hahn, 1906)
	<i>SS: Scriptores</i>
	<i>SRG: Scriptorum rerum Germanicarum</i>
MIOG	Mitteilungen des Instituts für Österreichische Geschichtsforschung
NCMH	The New Cambridge Medieval History
OAWD	Österreichische Akademie der Wissenschaften philosophisch-historische Klasse Denkschriften FGM: Forschungen zur Geschichte des Mittelalters
PL	<i>Patrologiae cursus completus . . . series . . . ecclesiae latinae</i> , ed. J.-P. Migne, 221 vols. (Paris: 1844–64)
QFIAB	<i>Quellen und Forschungen aus italienischen Archiven und Bibliotheken</i>

<i>RH</i>	<i>Revue historique</i>
Settimane	Settimane di studio del centro italiano di studi sull'alto medioevo
TF	<i>Die Traditionen des Hochstifts Freising</i> , vol. 1 (744–926), ed. T. Bitterauf, Quellen und Erörterungen zur bayerischen und deutschen Geschichte, neue Folge IV (Munich: Rieger, 1905)
TP	<i>Die Traditionen des Hochstifts Passau</i> , ed. M. Heuwieser, Quellen und Erörterungen zur bayerischen Geschichte, neue Folge VI (Munich: Verlag der Kommission für bayerische Landesgeschichte, 1930)
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
VIOG	Veröffentlichungen des Instituts für Österreichische Geschichtsforschung
ZSSR	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte</i>



Map 1 The Carolingian Empire in 814 (drawn by Margaret Marshall Andrews)

Introduction

In a capitulary, or royal law, probably issued in 810, Charlemagne noted a topic for discussion: “About those claimants [or shouters] who make a big racket in the palace [which reaches] the ears of the lord emperor.”¹ This rather elliptical reference encapsulates much that is particular about Charlemagne’s rulership and its representation in the sources. First, the reference is not entirely clear: We do not know what was decided should be done about those flocking to the palace, although the language of the law suggests they were in search of justice. While incomplete, the passage is evocative in its indication of direct royal interaction with a range of justice seekers, and its reflection of the successes and limits of imperial power. Charlemagne tried hard to insist on the importance of justice, of his own role as the ultimate arbiter, and the necessity for the protection of the weak. Yet, one consequence of Charlemagne’s reforms was to at times overwhelm the court with more business than it could handle. The regulation also underscores the novelty of Charlemagne’s rulership: There is no good precedent for this comment in any earlier Frankish legislation. We thus see in this capitulary chapter both the fruit of Charlemagne’s often innovative efforts to expand his governance, and the limits and problems associated with those attempts, points conveyed by sources which do not tell us everything that we want to know. All this is characteristic of Charlemagne’s rulership.

These features of Charlemagne’s political practice – its novelty and success, its limits, and its problematic source base – make it worthy of attention, but also difficult to study. Charlemagne conquered the majority of Western Europe in about twenty years and spent the next twenty trying to rule it, with consequences which persist to this day. That was a political achievement, whatever else it was. The central question examined by this book is how Charlemagne and those who worked with him managed to control the majority of Western Europe for several decades without the

¹ *Capit.* I, no. 64, c. 1, p. 153: “De clamatoribus qui magnum impedimentum faciunt in palatio ad aures domni imperatoris.” For the date, see Mordek, *Bibliotheca*, p. 1087.

benefits of modern tools and technology. Charlemagne fascinated his contemporaries, and he has continued to fascinate historians from the time of his death to the present. Studies on every aspect of the man and his reign are extensive; merely listing them would require a volume of several thousand pages. Yet, despite the extent of historical analysis, essential aspects of this pivotal European reign remain unclear. This book is an attempt to clarify at least some of those questions, as they pertain to how Charlemagne, and the men and women who worked with him, exercised power. I aim to offer here a new interpretation of how Charlemagne tried to rule and to what ends, of how he held together the vast and diverse empire he conquered so quickly, of the kind of legacy he left for the rest of the Middle Ages. Charlemagne built on Frankish, Roman, and Christian traditions, but in so doing he created a new kind of empire, one which would have a profound impact on the subsequent history of Western Europe.

The contention that the reign of Charlemagne was pivotal to the course of medieval history is generally accepted; he has not become known as Charles the Great for nothing.² The claim that his reign was a turning point for the development of modern Europe is perhaps more questionable.³ Despite the EU's interest in Charlemagne as a symbol of European community, his brand of unity – forced conversion, violent conquest, intrusive and inefficient legislation – seems hardly useful as a model for a democratic society.⁴ Yet, despite the fragility of his achievements and the short lifespan of the polity he created, Charlemagne transformed the post-Roman West into a world which was, arguably for the first time, recognizably medieval Europe. Charlemagne has been called many things, by many people: The “new David” by his favored Anglo-Saxon adviser Alcuin⁵; undoubtedly something much less complementary by the Saxon leader Widukind if we had any access to his reactions.⁶ But what Charlemagne called himself, consistently and regularly (and this in a reign where consistency and regularity were notably

² On the memorialization of Charlemagne as the “great,” see Noble, “Greatness Contested,” and Dutton, “KAROLVS MAGNVS.”

³ For one sensitive attempt to discuss clearly Charlemagne's ties to modern Europe, see Nelson, “Charlemagne: ‘Father of Europe?’”

⁴ See www.karlspreis.de/en/home.html, accessed September 12, 2014, for the City of Aachen's vision of what the legacy of Charlemagne means.

⁵ For example, see Alcuin, letter 171, pp. 281–3. For analysis of the use of nicknames in general, see Garrison, “The Social World of Alcuin.” Also helpful is Garrison's work on the Franks' conception of themselves as the “new Israel”: “The Franks as the New Israel?”

⁶ For Widukind's role in the Saxon wars, see Royal Frankish Annals s.a. 777, p. 48; s.a. 778, p. 52; s.a. 782, pp. 60–2; s.a. 785, p. 70. For analysis, Lintzel, “Die Unterwerfung Sachsens.”

lacking) was king, king of the Franks to be precise.⁷ Charlemagne's influence on religion, on art, on the linguistic boundaries in Europe is not to be denied. But his primary influence, his primary preoccupation, was political: His approximately forty-six year effort to rule Western Europe. Studying Charlemagne's rulership then is to study the activity that the man himself most prized.

This analysis of Charlemagne's rulership is built on two foundations. The first of these is the difficulties with the sources and the approach they necessitate to achieve a systematic analysis of political practice. The second is the voluminous historiography on early medieval politics, which has shaped the field thus far and which provides essential tools for a reassessment of a particularly important early medieval ruler. In order to prepare for the examination of rulership to follow, I will look at each of these issues in turn.

Patterns of power

The sources for a political history of the reign of Charlemagne present two primary difficulties. The first of these is the uneven distribution of sources, the second the emphasis on normative evidence. An example can help illustrate the conundrum posed by the sources. A famous capitulary from 802 required all free male subjects over the age of twelve to swear a new oath of loyalty to Charlemagne as emperor, in the wake of his imperial coronation in 800.⁸ There had been previous oaths of loyalty to the king, some prompted by concern about specific moments of disloyalty.⁹ Charlemagne's concentration on the duties and responsibilities of rulership in the years around 800 prompted the imperial coronation, and also gave rise to the new oath.¹⁰ The new oath, as the king's agents, the royal *missi*, were meant to explain, encompassed a deeper vision of loyalty than had been understood previously.¹¹ One of

⁷ See full discussion of Charlemagne's use of the *rex Francorum* title in [Chapter 7](#), pp. 347–8.

⁸ *Capit.* I, no. 33, c. 2, p. 92: “De fidelitate promittenda domno imperatori. Precepitque, ut omni homo in toto regno suo, sive ecclesiasticus sive laicus, unusquisque secundum votum et propositum suum, qui antea fidelitate sibi regis nomine promississent, nunc ipsum promissum nominis cesaris faciat; et hii qui adhuc ipsum promissum non perfecerunt omnes usque ad duodecimo aetatis annum similiter facerent.”

⁹ On earlier use of the oath: M. Becher, *Eid und Herrschaft*, pp. 78–85, 195–201.

¹⁰ See analysis of M. Becher, *Eid und Herrschaft*, pp. 201–11; and see further [Chapter 7](#), pp. 347–50, 359–62 on the imperial coronation.

¹¹ *Capit.* I, no. 33, c. 2, p. 92: “Et ut omnes tradetur publice, qualiter unusquisque intellegere posset, quam magna in isto sacramento et quam multa comprehensa sunt, non, ut multi usque nunc extimaverunt, tantum fidelitate domno imperatori usque in vita ipsius, et ne aliquem inimicum in suum regnum causa inimicitiae inducat, et ne

the new obligations attendant on all subjects as a result of this oath was the need to swear truthfully in court and avoid perjury.¹² While the imprecation to avoid perjury is common in Frankish legislation, the linking of such a requirement to the oath of fidelity is unprecedented. We have the court records from a case heard in Bavaria by Charlemagne's loyal servant and the local archbishop and *missus* Arn of Salzburg later in 802.¹³ In this case, the witnesses are explicitly told that they must tell the truth because of the oath they have sworn to the lord emperor that very year.¹⁴ Royal order, local implementation: As far as we can see, the capitulary was made effective locally.¹⁵

Such clarity is rare indeed in the early Middle Ages. The exceptional nature of this case highlights our two persistent problems with the sources for the reign of Charlemagne. First, when we have uneven evidence, how do we generalize? Is the 802 oath situation typical or exceptional? We cannot usually get our evidence to match up sufficiently to analyze particular actions fully, although the cases where we can will figure in the pages to follow. For the more typical situation when we cannot trace the evidence completely, what can we conclude? The second problem relates to implementation of royal commands: Much of the evidence for the study of rulership consists of normative sources (which will be considered in more detail later). Scholars have persistently debated the extent to which the commands issued by Charlemagne were ever put into effect.¹⁶ Royal capitularies in particular demand all sorts of things, but whether any of this ever actually happened is another

alicui infidelitate illius consentiant aut retaciat, sed ut sciant omnes istam in se rationem hoc sacramentum habere." See also Nelson, "Charlemagne and Empire," pp. 229–30.

¹² *Capit.* I, no. 33, c. 4, p. 92: "Secundo, ut nullus homo neque cum periuri neque alii ullo ingenio vel fraude per nullius umquam adolationem vel praemium neque servum domni imperatoris neque terminum neque terram nihilque quod iure potestativo permaneat nullatenus contradicat neque abstrahere audeat vel celare; et ut nemos fugitivos fiscales suos, qui se iniuste et cum fraudes liberas dicunt, celare neque abstrahere cum periurio vel alio ingenio presumat"; see also c. 9, p. 93 and c. 36, p. 98 of the same capitulary.

¹³ See also further discussion of the career of Arn of Salzburg in [Chapters 1](#) and [5](#), pp. 69–77 and 243–59 respectively.

¹⁴ TF no. 186, pp. 178–9: "Tunc praedicti missi dominici Arn archiepiscopus et Aduluuinus episcopus atque Orendil iudex ipsos homines qui hoc testificaverunt in medium vocaverunt et per sacramentum fidelitatis quem domno Karolo magno imperatori ipso praesente anno iuraverunt adtestati sunt eos, ut omnimodis absque ulla fraude vel ingenio ita ut veracissime de ipsa causa scirent ita in palam adnuntiarent."

¹⁵ See also my discussion of this example: J.R. Davis, "A Pattern for Power," pp. 235–6.

¹⁶ For example, Wormald, "Giving God and King Their Due," especially pp. 549–50 (pp. 333–5 in the reprint); Innes, "Charlemagne's Government," pp. 77–80, 82; and Mordek, "Karolingische Kapitularien," pp. 44–9 (pp. 74–9 in the reprint), to name just a few.

question entirely.¹⁷ While we have much evidence for rulership under Charlemagne, it is often normative and frequently uneven.

There is a solution to the conflict between the limitations of our evidence and the desideratum of a more complete analysis of what Charlemagne did and why he did it. This solution is to look for patterns of rulership in the evidence, that is, trends in how Charlemagne and his advisors approached the political issues they faced.¹⁸ Working across different kinds of sources, across the involvement of different individuals, and across time, we can discern persistent trends in how the king and his court handled political affairs. In approaching the sources for the reign of Charlemagne, I have tried to search out such patterns, that is, tendencies in how king and court responded to political situations. To return to the example of the oath: The new oath expresses a broad vision of royal responsibility, which we can also see elsewhere, such as in the capitulary legislation more generally, letters written in the name of the king, histories, theological investigation undertaken at royal direction, and so on.¹⁹ By finding the same political response in so many places, we can begin to hypothesize that this is more than just a politically expedient decision at one moment in time, and is rather a characteristic response from Charlemagne and his advisers to the problems of rule they faced. Such a tool of analysis cannot entirely change the normative bias of the sources, but it does provide a window into practice by offering a sense of the structure of political behavior. This study builds on such tendencies of political response to formulate the interpretation of political practice offered here.

In attempting to elucidate patterns of rulership, I have focused on tendencies that we can link to the king himself, on consistent trends, and on broad directions in how the king and his closest advisers exercised power. To that end, I have looked not just for characteristic tools, such as the oath, but for the deeper forces behind it, such as concern about loyalty, the broad conception of the oath and what this implies about

¹⁷ On the challenges of the sources, see Schieffer, “Die Einheit.”

¹⁸ Despite the similarities in terminology Wendy Davies’ excellent study takes a different approach to the investigation of political questions: W. Davies, *Patterns of Power in Early Wales*. The collection Hill and Swan (eds.), *The Community, the Family and the Saint. Patterns of Power in Early Medieval Europe*, despite the title, is not especially focused on issues of the exercise of power.

¹⁹ In other capitularies (or in this case, texts related to the capitularies): *Capit.* I, no. 121, pp. 239–40 and discussion of Buck, *Admonitio und Praedicatio*, pp. 157–68; in letters written in the king’s name: for instance, Alcuin, letter 93, pp. 136–8; in histories: for example, the Annals of Lorsch s.a. 794, SS 1, pp. 35–6; part of the text is also available in: *Codex Vindobonensis* 515, ed. Unterkircher, p. 33 for a partial entry: this is one of the most extensive discussions of legislation in court histories, discussed in [Chapter 4](#), pp. 197, 203–4; in the theological investigations at royal order, for instance: Keefe, “An Unknown Response.”

royal visions of Frankish society, and so on. I have also attempted to look for patterns we can link to Charlemagne himself by isolating trends that are reflected in many kinds of sources, are not linked to specific individuals, and are reflected consistently throughout the reign. This does lead to an emphasis on the structural rather than the personal in the evaluation of governance undertaken here, but has the advantage of allowing us to discern patterns in uneven sources. I use here any source which can shed light on political practice, from laws, to archaeology, to court poetry. I have, however, almost entirely focused on sources actually contemporary with the reign itself; this is a study of Charlemagne's rulership constructed from the sources produced during that reign.²⁰ The implication of this methodology is that patterns that we can see in so many sources from so many places can be tied to the king, for he was the one factor that was consistent as all else – author, genre, location, and so forth – changed. Thus, I argue that the patterns I will analyze in the pages that follow can be fairly claimed to reflect the king's actions and ideas, and not just those of his advisers. This does not of course mean that such patterns reflect *only* the king's actions and ideas, but that we can use them as a way to approach the rulership of Charlemagne himself.

I have sought out patterns that are consistent throughout the reign, as one of the ways to make sure that the patterns discussed here are indeed fully attested and linked to Charlemagne. This is the ideal situation in the discernment of a pattern, but it is subject to a persistent complication in the sources. They improve radically around the year 790, with a further increase in certain kinds of material around 800.²¹ I will argue that this is not just a matter of source survival, but a real change in rulership that occurs in 790.²² This does mean that many of the patterns we will examine in this study cannot be seen before the years around 789. I will point out cases where we can in fact detect the patterns earlier in the reign and I will discuss the early years of the reign as a prefiguration of

²⁰ There will of course be exceptions, such as archaeological material that is difficult to date precisely, or Einhard, whose biography postdates Charlemagne's death, but whose testimony cannot be ignored, or occasional information from the Astronomer on Southern events we otherwise would not know much about.

²¹ This is evident in the capitularies (with the *Admonitio generalis*, *Capit.* I, no. 22, pp. 53–62 and *AG*, inaugurating the process of religious reform and much else that will be characteristic of the capitularies), the (possible) beginning of the Royal Frankish Annals, the compilation of the *Codex Carolinus* and the *Opus Caroli*, changes in how charters are given, and so on. See further discussion of the chronology of the reign in [Chapter 7](#).

²² For an important argument about documentary change rather than social change, albeit in a later period, see Barthélemy, *La société dans le comté de Vendôme*, especially chapter 1; Barthélemy, *La mutation de l'an mil*, chapters 1 and 2.

what was to come.²³ Nonetheless, most of the evidence applicable to a study of governance comes from the quarter century beginning around 790, and thus, while I will insist on consistency for a royal action or idea to be considered characteristic, this often inevitably means consistency from 790 or so on.

Of course, the people who made up the court also varied over time. I am endeavoring to use sources that are not linked to any one person alone. The Carolingian court which advised Charlemagne was composed of a constantly shifting combination of people, as we will see further later.²⁴ Even if a particular person at court was frequently involved in one issue, looking for patterns across time and genre allows us to minimize the danger that an identifiable tendency of rule is due to just one person. The effort to discover patterns of rulership linked to the king and court and not just to individuals is facilitated by the fact that most texts emanating from the court were the product of collaboration rather than the fruit of a single author's individual work.²⁵

In sum, then, the methodology of this study is predicated on identifying patterns of political response, which can turn the scattered and often normative sources surviving from the period into a firmer foundation on which to build our analysis of Charlemagne's political practice. In considering here how Charlemagne tried to rule, I will use these persistent patterns of power as a tool to structure the investigation of political practice. This methodology for studying political history allows us to make full use of the available evidence while still taking account of the irregular survival of sources and their prescriptive bias. Analyzing patterns of power as a window into the sources will enable this book to offer a systematic political evaluation of Charlemagne's rulership despite the lack of systematic evidence.

The historiography of early medieval politics

The time is ripe for a reassessment of Charlemagne's rulership because of the many achievements in the field of early medieval political history over the last few decades. In order to situate this book within the development of the field and in relation to recent historiography, we must first step

²³ See especially [Chapter 8](#), pp. 381–96.

²⁴ Nelson, “Was Charlemagne's Court a Courtly Society?” and discussion later.

²⁵ One of the clearest examples of such a process of collaboration is the composition of the *Opus Caroli*; on which see von den Steinen, “Entstehungsgeschichte der Libri Carolini”; Freeman and Meyvaert, “*Opus Caroli regis contra synodum*: An Introduction,” pp. 17–33. While Theodulf composed the core of the text, the court, the king included, also weighed in.

back a bit to older interpretations of the reign of Charlemagne and how these have evolved, before widening our lens to include scholarship on the early Middle Ages more broadly.

Unsurprisingly, for a king called Charles the Great, much scholarship on Charlemagne sees him as the high point of Carolingian or early medieval rulership, extolling his cultural achievements, his military successes, his political competence.²⁶ A reaction to the glorification of Charlemagne set in, particularly with the publication of Heinrich Fichtenau's *Das Karolingische Imperium* in 1949.²⁷ Written by an Austrian in the devastating years of National Socialism and its aftermath, the book took a far darker view of Charlemagne's leadership. Rather than seeing Charlemagne's rule as setting the foundation for later states,²⁸ Fichtenau conceived of Charlemagne as a limited, often ineffective, king, whose few military achievements had overshadowed a reality of minimal political success. There is much in Fichtenau's portrait of Charlemagne to be valued. For instance, his depiction of Charlemagne as the heart ("Mittelpunkt") of the empire is excellent.²⁹ And the moral stance of a scholar in his circumstances rejecting the myth of a cultic leader can only be celebrated. Yet, Fichtenau often went too far in minimizing both what Charlemagne attempted and what he actually achieved.

However, it is Fichtenau's Charlemagne that has been most persuasive in the second half of the twentieth century and early years of the twenty-first. Some of this has to do with a broader move away from political history, which stemmed from, among other causes, a distrust of political power.³⁰ For a post-Foucault, post-Holocaust academy, the kind of royal power Charlemagne claimed to wield could only be suspect. As Stuart Airlie has aptly observed, there is something of the "panopticon" in a king who could add as an agenda item to be discussed at an assembly the question of whether the Franks were truly Christian.³¹ Even in the

²⁶ The generally positive approach to Charlemagne continues to be a feature of serious works, such as Barbero, *Charlemagne: Father of a Continent*.

²⁷ Fichtenau, *Das Karolingische Imperium; soziale und geistige Problematik eines Grossreiches*.

²⁸ For example, Fichtenau, *Das Karolingische Imperium*, pp. 87–8; in English trans. pp. 77–8.

²⁹ Fichtenau, *Das Karolingische Imperium*, p. 38; in English trans. p. 29 (my translation here).

³⁰ See, for instance, the approach to power adopted by Searle, *Predatory Kinship*, emphasizing its transgressive and violent aspects.

³¹ On the panopticon-like qualities of Carolingian governance, see Airlie, "The Palace of Memory," p. 5. The discussion of whether the Franks are truly Christian can be found in *Capit. I*, no. 71, c. 9, p. 161.

context of the long-standing concern with baptism at the court,³² this is a remarkable issue to address in a legislative format, not to mention the impossibility of the assembly reaching any kind of useful conclusion on the matter (we have the notes from the subsequent discussion; the lay aristocrats and clerics the king had gathered chose not to address that particular question).³³ Another factor behind the scholarly embrace of Fichtenau is the terms in which earlier historians celebrated Charlemagne's actions, not just the celebration itself. Previous scholarship, which tended to assume consistent state structures, delegated authority, and a quasi-modern bureaucracy, has now been, rightly, rejected.³⁴ More recent work on political history has emphasized ritual over institutions, and the analysis of individual textual accounts rather than an effort to reconcile them (developments we will return to). All of this has been seen to be contradictory to a view of Charlemagne as an active and effective ruler. Some would go so far as to suggest that the imputation of effectiveness in and of itself presupposes modern concepts of political control that are inappropriate in an early medieval context.³⁵

These concerns about modern concepts have had a deep impact on the field. Much early medieval political history of late has been shaped, explicitly or not, by wider academic debates, especially about power and marginality. One of the impacts of literary theory and postmodernism on historical scholarship has been to inculcate a distrust of central power, and to encourage in its stead a focus on how margins can illuminate the center, how the odd, the grotesque, the divergent, can best reveal a society.³⁶ In the case of early medieval political history, these academic currents have produced work that aims to explore political life without reference to constitutions, structures, institutions, and normative sources.³⁷ This is a reasonable goal, given not only trends in other disciplines, but as a reaction to previous historiography that created a vision of bureaucratic power that was out of place in a medieval context.

The problem of using a too bureaucratic frame to understand Charlemagne has been a frequent critique of the work of François-Louis Ganshof. Ganshof knew more about how Charlemagne ruled than any

³² On the concern about baptism at the Carolingian court, see now Keefe, *Water and the Word*. I would like to thank Jinty Nelson for discussing with me the links between this capitulary chapter and the court's sustained interest in baptism.

³³ *Capit.* I, no. 72, pp. 162–4.

³⁴ See the useful discussion in Innes, *State and Society*, pp. 5–9.

³⁵ See further pp. 412–13.

³⁶ There is a helpful exploration of these issues in the context of medieval history in: Freedman and Spiegel, "Medievalisms Old and New."

³⁷ For some useful observations on the development of the field, see Warner, "Reading Ottonian History."

other modern historian.³⁸ His work and its implications therefore warrants some sustained attention here. Ganshof argued that Charlemagne had a vision of empire that he attempted to enforce.³⁹ This vision was shaped by a deep sense of the responsibilities of Christian kingship, but found its political expression in efforts to regularize, centralize, and standardize power, to develop clear standards of office holding, and to carefully and piecemeal build on tradition, not as a matter of a precise plan, but as a general trend in his rule.⁴⁰ In Ganshof's view, this vision eventually failed,⁴¹ but it animated much of what Charlemagne tried to do, even as the king and his men scrambled to respond to the succession of everyday events and frequent crises.⁴² Underlying Ganshof's work were the assumptions that power needed to be exercised regularly in

³⁸ Several of Ganshof's most important studies are gathered in his *The Carolingians and the Frankish Monarchy*, but there is not a complete collection of all his articles, as useful as that would be. There is a good, though not exhaustive, bibliography in *The Carolingians and the Frankish Monarchy*, pp. 303–11.

³⁹ See in particular, Ganshof, "Charlemagne's Programme of Imperial Government"; Ganshof, "The Impact of Charlemagne"; Ganshof, "The Institutional Framework."

⁴⁰ Perhaps best summed up in Ganshof, "Charlemagne," pp. 526–7 (pp. 24–5 in the reprint, which I cite here): "To have a clear line of conduct and keep to it is one thing, but it is quite another to follow out a complete and detailed programme. Charlemagne had, indeed, certain lines of conduct that he followed persistently. The facts presented are sufficient to this as regards his foreign policy. It is also true as regards political, administrative, and juridical institutions. Charlemagne wanted to improve their efficiency so as to bring about a more complete fulfillment of his wishes and to achieve greater security for his subjects. But one cannot make out a real programme in his actions. He resorted to shifts; he adopted and improved what was already existing. This is true of the institution of the *missi*, true also of the royal court of justice, of the royal vassalage and of the 'immunity'. Occasionally he created something new, but without troubling about a general scheme. His reforms were empiric and at times went through several stages of development as in the case of the organisation of the *placita generalia* which was roughly outlined at the beginning of the reign but did not assume a definite shape until about the year 802, and also the use of writing in recording administrative and juridical matter, prescribed by a series of distinct decisions relating to particular cases . . . One is often tempted to turn Charlemagne into a superman, a farseeing politician with broad and general views, ruling everything from above; one is tempted to see his reign as a whole, with more or less the same characteristics prevailing from beginning to end. This is so true that most of the works concerning him, save for the beginning and the end of his reign, use the geographical or systematic order rather than a chronological one. The distinctions that I have tried to make between the different phrases of his reign may, perhaps, help to explain more exactly the development and effect of Charlemagne's power; they may help us to appreciate these more clearly. Perhaps, also, the features that I have noted bring out the human personality in the statesman and lead to the same results." Ganshof's emphasis on adaptation is also important and will be followed here.

⁴¹ In particular, Ganshof, "The Last Period of Charlemagne's Reign"; "Charlemagne's Failure," and full discussion later.

⁴² See, in particular, Ganshof, "Charlemagne" for the impact of daily events and constant problems.

order to be effective, that there was a general direction to Charlemagne's rule even if not a full program,⁴³ that standardization and centralization went hand-in-hand and that Charlemagne sought both in an effort to create a unified empire. The problems with this view are fairly clear and have been oft noted; it is too bureaucratic, modern, and statist in its expectations of political life.⁴⁴

The goal of this book is to find a way to evaluate Charlemagne's rule, learning from Ganshof, but without incorporating his assumptions about political life. To that end, this book tries to reinterpret Charlemagne's political practice by appreciating its centralizing and organizational efforts, but without assuming that these efforts entailed modern attempts to rule in a regular or even fashion. I have tried to study Charlemagne's political practice by extracting a sense of political patterns from the sources, rather than by assuming any particular model of how political power worked. The methodology of studying patterns of power adopted here allows us to recognize the consistency and coherence of Charlemagne's rule that Ganshof correctly noted, but without interpreting the reign in the frame of modern conceptions of how power can be exercised. The patterns thus leave room for the irregularity which so marked Charlemagne's exercise of power, and which Ganshof felt doomed his political project. Where Ganshof believed irregularity and consistency could not combine, studying patterns of power allows us to analyze both together. Ganshof appreciated, perhaps more than any other scholar, the ambitions of Charlemagne and his men, the coherence of political will, and yet the irregularity and lack of planning in his rule. For Ganshof, this understanding of Charlemagne implied a contradiction: The irregularity undermined the coherence. I argue that by focusing on patterns of power we can examine how the coherence and irregularity Ganshof rightly observed did not conflict, but in fact combined in such a way as to define the nature of Charlemagne's governance.

In the decades since Ganshof wrote, scholars studying early medieval politics have shifted focus to rulers other than Charlemagne. Nonetheless, Charlemagne continues to be the subject of significant research. The contributions of three scholars in particular require special attention here. The work of Rudolf Schieffer builds on the issues of the nature of the imperial achievement raised in Ganshof's work. We will have cause to address many of Schieffer's specialized studies in the course of this book, but for now the key issue is his vision of unity and accident in the shaping

⁴³ Ganshof, "Charlemagne," pp. 526–7 (pp. 24–5 in the reprint) and discussion in [Chapter 8](#), pp. 404–5, 424–5.

⁴⁴ The critiques are clear and have been frequently reiterated. The basic point is well summarized in Innes, *State and Society*, pp. 5–9.

of the empire. In two important articles, Schieffer has argued that the empire and whatever unity it evinced was a somewhat accidental construction, which emerged from chance and the king's ability to take advantage of happy accidents.⁴⁵ I will address these arguments most fully in [Chapter 8](#), but a few introductory remarks can help situate the rest of the historiography. Schieffer's work illuminates the importance of contingency, of events shaping the realm in ways never predicated, as he (correctly) claims happened with the construction of Aachen, first as a personal home, but which became an administrative center.⁴⁶ However, I would contend that his emphasis on accident, while essential, does not leave enough room for strategy and consistency. The coherence of the empire was not only a function of the unity encouraged by religious reform, as Schieffer's account implies.⁴⁷ As suggested in the remarks about Ganshof, there was a political vision to the reign (in addition to a religious vision), albeit one carried out irregularly. There was also a strategy of rulership revealed in the reliance on patterns of political response. My interpretation thus draws on both Ganshof and Schieffer's understandings of the nature of the polity Charlemagne created, but walks a middle path between them.

Important work on Charlemagne has also been produced in recent years by Rosamond McKitterick and Jinty Nelson. McKitterick's 2008 book on Charlemagne⁴⁸ is a synthetic study of how the reign contributed to shaping a new kind of European polity. To that end, her work ranges much more widely than the tight focus on political practice adopted in this book. Nonetheless, her arguments on specific issues, like Charlemagne's charters, will frequently be drawn on, as will her earlier scholarship on history-writing and literacy (especially [Chapters 4](#) and [6](#), respectively). Another major contribution has been made by Jinty Nelson, especially in her studies of Charlemagne's personal history and family life.⁴⁹ [Part III](#) of this book, in particular, will build on Nelson's work on the impact of family and the human trajectory of a life on the reign. In sum, this book returns to many of the questions Ganshof posed, armed with a new methodology for studying patterns of power and fortified by recent scholarship, which has encouraged a wider, nonbureaucratic, contingent, and personal approach to thinking about Charlemagne.

⁴⁵ Schieffer, "Die Einheit"; Schieffer, "Karl der Große—Intentionen und Wirkungen." These arguments are now summarized in his "Karl der Große und Europa."

⁴⁶ Schieffer, "Vor 1200 Jahren," and discussion in [Chapter 6](#), pp. 333–4.

⁴⁷ Schieffer, "Die Einheit," especially p. 47. ⁴⁸ McKitterick, *Charlemagne*.

⁴⁹ Most of these studies are now available in the collections of her essays: *Politics and Ritual; The Frankish World; Rulers and Ruling Families; Courts, Elites, and Gendered Power in the Early Middle Ages*.

This book also responds to several other developments in the historiography of the early Middle Ages. One important context for an effort to reconsider Charlemagne's exercise of power is recent research on other Carolingians. The last few decades have seen a resurgence of interest in Carolingian history, especially in the United Kingdom. One factor prompting this new work is the abandonment of an older, often nationalistic, progressive narrative of Carolingian history.⁵⁰ This view posited the creation of an empire by Charlemagne and then its slow dissolution into political disarray, to be eventually followed by the building of what would become modern European nation states.⁵¹ This interpretation is unsustainable, both in its teleological expectations about nation states, and in its vision of the trajectory of Carolingian power.⁵² Most historians today are uncomfortable with the expectation that the nation state is the natural outcome of historical development and with the vision of the Carolingian empire as subject to slow decline after reaching its pinnacle under Charlemagne. One happy consequence of the abandonment of the old narrative of Carolingian history is the new attention to the study of other Carolingians, which in effect means anyone not Charlemagne. Thus, we see analysis now of Louis the Pious, Charles the Bald, Charles the Fat, Louis the German, even the oft-neglected Lothar I.⁵³ This work, which portrays other rulers as effective Carolingians, has offered new insights on early medieval political culture, but also provides for the student of Charlemagne a richer and more realistic context in which to situate analysis of the Carolingian "founding father."⁵⁴ In particular,

⁵⁰ A key work helping to pave the way for this reorientation was Sullivan, "The Carolingian Age."

⁵¹ For the broad context: Geary, *The Myth of Nations*.

⁵² For instance, Booker, *Past Convictions*.

⁵³ The literature on Louis includes: Godman and Collins (eds.), *Charlemagne's Heir*; Booker, *Past Convictions*; Conant, "Louis the Pious and the Contours"; Coupland, "Money and Coinage under Louis the Pious"; Depreux, "L'absence de jugement"; Depreux, "Louis le Pieux reconsidéré ?"; Depreux, *Prosopographie*; Depreux, "Le rôle du comte du Palais"; Goldberg, "Louis the Pious and the Hunt"; de Jong, *The Penitential State*; de Jong, "Power and Humility"; Noble, "The Monastic Ideal"; Noble, "Louis the Pious and his Piety Re-Reconsidered"; Romig, "In Praise of the Too-Clement Emperor"; on Charles the Bald: Deshman, "The Exalted Servant"; Diebold, "The Ruler Portrait of Charles the Bald"; Gibson and Nelson (eds.), *Charles the Bald: Court and Kingdom*; Nelson, *Charles the Bald*; and many of the studies collected in her *Rulers and Ruling Families*; Staubach, *Rex Christianus*; on Charles the Fat: MacLean, *Kingship and Politics*; on Louis the German: Goldberg, *Struggle for Empire*; Airlie, "True Teachers and Pious Kings"; W. Hartmann, *Ludwig der Deutsche*; W. Hartmann (ed.), *Ludwig der Deutsche und seine Zeit*; on Lothar: Screen, "The Importance of the Emperor"; de Jong, "The Emperor Lothar and his *Bibliotheca Historiarum*"; Jarnut, "Ludwig der Fromme, Lothar I. und das Regnum Italiae."

⁵⁴ On Charlemagne as the father of Europe, see [Conclusion](#), pp. 433–6.

some of the ways in which Charlemagne's political practice differed from that of other Carolingians prove especially interesting. Moreover, the scholarship on Louis the Pious helps us better understand the consequences of how Charlemagne tried to rule, an issue I will return to in the Conclusion to this volume.

Scholarly interest in moving beyond study of just Charlemagne is also evident in a series of books that address the Carolingian period or the early Middle Ages as a whole, looking at political and social change as it played out on the ground in particular contexts.⁵⁵ Such work is an essential component of our understanding of the Carolingian period. It is a reflection of a move away from the heavily bureaucratic flavor of some earlier political history⁵⁶ and it draws on renewed interest in "practical" expressions of how people's daily lives were arranged.⁵⁷ Much of the specific work on the exercise of power in a regional context builds on the recent reemphasis of the value of charters, especially in English-language scholarship,⁵⁸ and on the related exploration of dispute settlement or more broadly conflict resolution.⁵⁹ The older German-language literature that provides the foundation for this work tended to situate local studies in a strongly regional context, emphasizing landscape, local resource management, and family ties.⁶⁰ Some of the more recent, usually English-language, work, on the other hand, focuses on power networks, often centered on monasteries, and how these local

⁵⁵ Notable studies of this sort include: Borgolte, *Die Grafen Alemanniens*; Borgolte, *Geschichte der Grafschaften Alemanniens*; W.C. Brown, *Unjust Seizure*; Clavadetscher, "Die Einführung der Grafschaftsverfassung"; Hannig, "Zentrale Kontrolle"; Hannig, "Zur Funktion der karolingischen 'missi dominici'"; Le Jan, "Prosopographica Neustrica"; Nonn, "Probleme der frühmittelalterlichen Grafschaftsverfassung."

⁵⁶ There are some useful comments on this point in Innes, *State and Society*, pp. 5–6.

⁵⁷ For some of the considerations behind this research see Wormald, "Introduction," to W. Davies and Fouracre (eds.), *The Settlement of Disputes*.

⁵⁸ One example of recent reconsideration of the value of charters is: Heidecker (ed.), *Charters and the Use of the Written Word*. The topic always continued to receive more attention in continental languages, for instance: Gockel, *Karolingische Königshöfe*, and many of the works cited in Note 55.

⁵⁹ Important work on Carolingian conflict resolution includes: The essays collected in W. Davies and Fouracre (eds.), *The Settlement of Disputes in Early Medieval Europe*, and in its follow-up volume: W. Davies and Fouracre (eds.), *Property and Power*; Fouracre, "Carolingian Justice"; Geary, "Extra-Judicial Means of Conflict Resolution"; Geary, "Moral Obligations"; Hammer, "*Lex scripta* in Early Medieval Bavaria"; McKitterick, "Perceptions of Justice"; Wormald, "Giving God and King Their Due." Also useful are the edited collections: Bossy (ed.), *Disputes and Settlements*; W.C. Brown and Górecki (eds.), *Conflict in Medieval Europe*.

⁶⁰ Examples include: Bosl, *Franken um 800*; Jahn, *Ducatus Baiuvariorum*; Schulze, *Die Grafschaftsverfassung*; Staab, *Untersuchungen zur Gesellschaft*; Störmer, *Adelsgruppen*; Störmer, *Früher Adel*; M. Werner, *Adelsfamilien im Umkreis der frühen Karolinger*.

power constellations intersected with imperial ones.⁶¹ All of this literature, regardless of its focus on resources or power, builds on a massive reorientation in early medieval history to emphasize family relations and aristocratic history.⁶² The fruit of generations of work, going back to Gerd Tellenbach, on the nature of aristocratic family ties has provided the evidence base for much of this literature.⁶³ The shift in emphasis to prosopographical research continues to inform early medieval political history today. While this book focuses on the king and thus on central power, it regularly grounds such study in particular regional contexts and in the dynamics of aristocratic politics. The results of these regional and prosopographical studies will thus be regularly drawn on to provide a fuller understanding of how power was played out locally.

The focus in this literature on networks of aristocrats as the window into early medieval society intersects with concerns about what held early medieval polities together. A body of literature which argues that rituals shaped early medieval Europe, and particularly Ottonian Germany, has been deeply contested but also opens up a wider debate about political coherence in early medieval polities. While German historians have examined rituals as the structuring element of the post-Carolingian world, French historians have more often focused on issues of dispute resolution and the dissolution of Carolingian institutions. Both literatures question how statists and governed the post-Carolingian world was; a question which is now increasingly asked of the Carolingian era itself. A look at the development of this historiography on Ottonian Germany and Capetian France will help situate current research on political structures in the Carolingian period.

Let us begin with the study of ritual, which has been a marked feature of research on Ottonian Germany, but which is also relevant for the history of the early Middle Ages as a whole. One of the most influential

⁶¹ For instance: Costambeys, *Power and Patronage*; Hummer, *Politics and Power*; Innes, *State and Society*; Jarrett, *Rulers and Ruled*.

⁶² In particular, in terms of the study of *memoria*. Foundationally: Wollasch and Schmid (eds.), *Memoria*. See also studies ranging from: Garver, *Women and Aristocratic Culture*, to Oexle, *Forschungen zu monastischen und geistlichen Gemeinschaften*.

⁶³ The foundational study was Tellenbach, *Königtum und Stämme*. Some key work on the early medieval aristocracy can be found collected in: Reuter (ed.), *The Medieval Nobility*. Other important studies include: Bullough, "Early Medieval Social Groupings"; Bouchard, "Family Structure"; Le Jan, *Famille et pouvoir*; Leyser, "The German Aristocracy"; Murray, *Germanic Kinship Structure*. Also important are the studies of Stuart Airlie: "The Aristocracy"; "The Aristocracy in the Service of the State"; "Bonds of Power and Bonds of Association"; "Charlemagne and the Aristocracy"; "*Semper Fideles*?" The work on elites directed by Régine Le Jan and published in the *Haut moyen âge* series at Brepols is now also essential; see overview at: www.brepols.net/Pages/BrowseBySeries.aspx?TreeSeries=HAMA.

lines of research is the investigation of the role of ritual in political life, with related studies of relationships among groups of people behind the basic hierarchical links that were once the typical object of attention in medieval history.⁶⁴ In its strongest formulation, the idea behind studies of early medieval ritual is that these moments were the glue that held political society together, that the performance of rituals reveals the unspoken rules which governed medieval political life.⁶⁵ This view of ritual has been challenged, notably by Philippe Buc.⁶⁶ Buc argues that the concept of ritual itself is too historically contingent to be applied to medieval sources which helped shape the conceptual understanding of the word. He also warns that studies of ritual tend to reify rituals, to turn textual arguments into more transparent depictions of political life. He argues that all we can do is try to interpret particular textual depictions of events we have chosen to call rituals. His critics in turn have noted that what Buc seems to advocate is a close reading of sources not unlike what scholars have already been doing, and that his deconstruction of the concept gets us no closer to deciphering medieval texts, which do in fact emphasize such ceremonial moments.⁶⁷ If nothing else, the interest in ritual, particularly among historians of Ottonian Germany, where such rituals are seen to be constitutive of political structures, has illuminated the many noninstitutional bonds that structured early medieval political life.

In a French context, research has focused on the problems of conflict resolution and of what happened when the old Carolingian order faded. An older historiography, preeminently associated with Jan Dhondt, identified post-Carolingian France as a period of disruption, out of which the nation state of France would eventually emerge, but which was marked by profound interruption of the previous Carolingian order (an order most Carolingian historians would consider overstated).⁶⁸ Georges

⁶⁴ This literature is perhaps best approached via the collected studies of Gerd Althoff, *Spielregeln der Politik*. See also: Althoff, *Die Macht der Rituale*; Althoff, Fried, and Geary (eds.), *Medieval Concepts of the Past*; Leyser, "Ritual, Ceremony and Gesture"; Nelson, *Politics and Ritual*; Paxton, *Christianizing Death*; Theuvs and Nelson (eds.), *Rituals of Power*. And in a French context see Koziol, *Begging Pardon and Favor*. On studies of relationships: Althoff, *Amicitiae und Pacta*; Althoff, *Verwandte, Freunde und Getreue*; arguing from a very different perspective, see also S. Reynolds, *Kingdoms and Communities*.

⁶⁵ This is preeminently the view of Gerd Althoff; see works cited in [Note 64](#).

⁶⁶ Buc, *The Dangers of Ritual*.

⁶⁷ For some important critiques of Buc, see Koziol, "The Dangers of Polemic"; Pössel, "The Magic of Early Medieval Ritual"; Walsham, "Review Article: The Dangers of Ritual." And see Buc's reply to some of his critics: Buc, "The Monster and the Critics."

⁶⁸ Dhondt, *Études sur la naissance*.

Duby's work introduced a fundamental shift. Duby still recognized systematic interruptions of order in central medieval France, but was more concerned to trace the social and cultural shifts that gave rise to the transformation of judicial structures.⁶⁹ Building on Duby's insights, a new literature on dispute settlement in post-Carolingian France has offered a much more positive assessment of medieval French justice. Rather than bemoaning the lack of clear procedures and the frequency of feud, such literature sees in negotiated settlements and processes of violence sources of order of a different kind.⁷⁰ Such techniques might not bear much relation to modern expectations of justice, but in a medieval context they were reasonable methods of regulating conflict even if they lacked any state sanction.

Despite their significant differences, this scholarship on tenth- and eleventh-century France and Germany has in common that both schools of historiography have questioned the validity of seeing these societies as states, their rulers as effective governors, and the exercise of power in them as public.⁷¹ Even though much of this literature assumes a Carolingian past marked by order and stability, Carolingian historians have begun to question just how public, statist, and governed Carolingian Europe was as well.⁷² A recent book by Charles West returns to the

⁶⁹ Duby, "The Evolution of Judicial Institutions"; translation of "Recherches sur l'évolution des institutions judiciaires," published in 1946 and 1947.

⁷⁰ Cheyette, "*Suum cuique tribuere*"; Geary, "Living with Conflicts in Stateless France"; Hyams, *Rancor and Reconciliation*; Martindale, "*Conventum inter Guillelmum Aquitanorum comes et Hugonem Chiliarchum*"; Weinberger, "Les conflits entre clercs et laïcs"; and fundamentally, the work of Stephen White, including: *Custom, Kinship, and Gifts to Saints*; "Feuding and Peace-Making in the Touraine"; "*Pactum . . . legem vincit et amor iudicium*"; "Politics of Fidelity"; "Proposing the Ordeal and Avoiding It"; most of White's articles are reprinted in his *Feuding and Peace-Making*. This literature has also frequently intersected with the discussion of the "Feudal Revolution"; on which see Bisson, "The Feudal Revolution"; with responses of Barthélemy, Reuter, White, and Wickham, and reply of Bisson.

⁷¹ There is an excellent overview of the basic problems in the German context in: Keller, "Zum Charakter der 'Staatlichkeit'"; also for an overview of the discussion of states in a medieval context, see S. Reynolds, "The Historiography of the Medieval State," especially pp. 122–8 on post-Carolingian France and Germany.

⁷² One excellent, and provocative, critical examination of these issues is: Fried, "Der karolingische Herrschaftsverband," which argues against the applicability of concepts such as state and office in the early Middle Ages. Other works downplaying the effectiveness of the state in the Carolingian period include: Struve, *Die Entwicklung der organologischen Staatsauffassung*, pp. 87–98; Beumann, "Zur Entwicklung transpersonaler Staatsvorstellungen." See also the overview of the literature in Goetz, "Regnum," pp. 110–16 (pp. 219–23 in the reprint); although Goetz has a more positive view of Frankish institutions, his overview of the literature on the topic is cogent and even-handed. Goetz's positive evaluation of the extent of a concept of state in the early Middle Ages is also repeated in his: Goetz, "The Perception of 'Power' and 'State,'" and see further pp. 20–2.

question of the “Feudal Revolution,” the idea that there was a significant disruption in political and cultural life around the year 1000,⁷³ informed by knowledge of the Carolingian past.⁷⁴ In setting the stage for his review of the “Feudal Revolution” debate, West offers a significant assessment of Carolingian political life. West argues that we must break away from a seeming contradiction between evidence for effective top-down political control and bottom-up evidence of political practice little touched by royal power or expectations. There is ample support for both in Carolingian sources, but how to balance them? West’s solution is to argue that the real project of the Carolingian empire was to seek to shape social order, to communicate messages about political life, a model which leaves room for both royal interventions and more independent local practices. This interpretation is important, and certainly helps clarify dispute over the Feudal Revolution, which is of course West’s main purpose. The message for the student of Charlemagne is somewhat different, however. First, I agree entirely with West that we must incorporate evidence of both effective royal power and local indifference to such. The former is more obvious in this book, as it seeks to investigate how Charlemagne and his men sought to exercise power, but the book also addresses instances where that effort failed or did not penetrate local societies. Second, I too try here to avoid positing a dichotomy between royal rulership and local practice, which often emerges only when we conceptualize rulership in too bureaucratic a context. Charlemagne’s exercise of power was not meant to eliminate local power, rather it built on it. Similarly, Charlemagne’s use of literacy in governance was not an effort to construct a Weberian administrative structure, but rather was an attempt to fashion a system of political communication in which both literate and oral communication were essential.⁷⁵ Where this book differs from West is in his emphasis on social order, which is not a primary focus of this volume. Social order was a major concern during the Carolingian period, evident in multiple areas, including incest legislation, which, in Karl Ubl’s treatment, is one context for reworking elite structures in the course of early medieval state formation processes.⁷⁶ However, such efforts to shape symbolic communication and reimagine the nature of Carolingian society largely postdate the reign of Charlemagne. During the reign of Charlemagne itself, we can best appreciate the contours of political life in two ways: First, by recognizing that tools of royal power do not imply a dismantling of local autonomy; and second, by noting that

⁷³ See references in [Note 70](#). ⁷⁴ C. West, *Reframing the Feudal Revolution*.

⁷⁵ See also C. West, *Reframing the Feudal Revolution*, pp. 97–105.

⁷⁶ Ubl, *Inzestverbot*, especially pp. 274–87.

some of the conflict between the two, which certainly is there, was minimized by the patterns of power Charlemagne employed. Much of the situation West addresses only emerged out of the ways in which Charlemagne ruled, so the tensions were not yet as fully obvious. Moreover, the dynamic of change and the rhythms of political life in the reign of Charlemagne were such that conflicts between royal imperatives and local prerogatives could be glossed over by the rapid speed of events and the momentum of success. Similarly, the studies of ritual and dispute settlement methods noted in this section often depend on types of evidence that rarely date from the reign of Charlemagne (such as depictions of ritual). These studies thus help us pose some important questions, but also highlight some of what made the reign of Charlemagne distinctive.

West's discussion of social order also brings up the issue of how to conceptualize the early medieval political world. Here too much recent work provides an important perspective. But first a few words about vocabulary are necessary. The word "political" itself is not entirely straightforward. I use the word to refer to matters of power, both at the court and regionally. One might argue that this is too vague a definition, especially given the development of a more delimited understanding of political in the later Middle Ages.⁷⁷ However, such a broad definition is, in my opinion, the only one possible for a world where the boundaries of royal action and interaction with the population were in the process of being reworked.⁷⁸ My understanding of power is similarly broad. By power, I refer to ways of exerting force, control or influence, shaped by the agency of all parties involved, in the imperial context. How Charlemagne ruled was highly variable, and often innovative. I have preferred therefore to focus on the practice of power, by which I mean the multiple, shifting ways in which the king and his men sought to shape political activity in the Carolingian world, rather than on ideologies of power, medieval or modern. My use of the word practice is meant to evoke not a particular anthropologically informed interpretation of society, but rather the *ad hoc* process by which Charlemagne and his men learned how to rule an empire. The construction of an ideological vision of empire was really the task of the next generation. Accordingly,

⁷⁷ Bisson, *The Crisis of the Twelfth Century*.

⁷⁸ Carolingian historians tend not to problematize the word "political," as opposed to "state" or "public" or other such concepts. While the question requires further attention, we should also note that the term should not be taken to imply any kind of stark distinction between secular and religious power in the early Middle Ages, both of which can be political in the broad definition I employ here. I would like to thank Thomas Bisson and Warren Brown for their advice on this point.

this study is structured around the idea that a broad definition of political power and practice can best help us interpret a world where so much about political life was in flux.

One might make a similar point about the concept of the state and its utility in early medieval history.⁷⁹ The scholarship that emphasized non-institutional aspects of political power was a necessary corrective, as we have seen, because older literature sometimes imagined a Carolingian world far too similar to our own in its political expectations and structures. Yet, more recently, scholars have returned to concepts of political life and argued strongly for political coherence in the Carolingian period. In particular, debates over the concept of the “state” have had a large impact on Carolingian studies. In an important article building on older German literature, Johannes Fried argued that what held the Carolingian world together was essentially concepts of church and family, that there was no overarching political definition that shaped the Carolingian empire.⁸⁰ His work has been deeply contested, especially by Hans-Werner Goetz, who insists on using the terminology of contemporary sources and who has illustrated the importance of the concept of a *regnum* in the early Middle Ages.⁸¹ Two recent collections of essays addressed to the topic of the early medieval state, edited by Walter Pohl, have largely followed Goetz’s lead, at least in terms of his insistence on political coherence, if not always his choice of vocabulary.⁸² Although the essays in the volumes reflect a range of views, most of the authors argue that while we must recognize significant divergences between modern states and medieval polities, there were nonetheless viable states in the early medieval period.⁸³ The definitions used vary, but the weight of the conclusions suggests that early medieval polities demonstrated sufficient coherence and continuity to count as states. A strong, but loose, understanding of the concept is most appropriate for studying the political forms of the early Middle Ages.

This is not unlike the verdict scholars have reached about understandings of public and private in the early Middle Ages. Most of these studies

⁷⁹ For the broader context in medieval history: R. Davies, “The Medieval State”; S. Reynolds, “The Historiography of the Medieval State.”

⁸⁰ Fried, “Der karolingische Herrschaftsverband.”

⁸¹ For Goetz’s articles on this topic see [Note 72](#), and also: Goetz, “Erwartungen an den ‘Staat’.” See also the overview of the debate in Jarnut, “Anmerkungen zum Staat des frühen Mittelalters.” Positing a stark difference between “*ecclesia*” and “*regnum*” does not help; see Patzold, “‘Einheit’ versus ‘Fraktionierung’.”

⁸² Airlie, Pohl, and Reimitz (eds.), *Staat im frühen Mittelalter*; Pohl and Wiesner (eds.), *Der frühmittelalterliche Staat*.

⁸³ The conclusion to the second volume offers an overview of the project as a whole and some major results: Goetz, “Versuch einer resümierenden Bilanz.”

contend that the terms public and private continued to have meaning in the early Middle Ages.⁸⁴ This does not mean that the lines between public/private or relevant to the king/not relevant to the king were inevitably sharp; they were not.⁸⁵ But it does mean that the frequent reference to “public” matters in royal documents is not just a linguistic holdover, but a reflection of political views.⁸⁶ Thus, a turn in the historiography away from royal or imperial power to local power is now nuanced by an emerging consensus that there were still state structures and conceptions of public and private that shaped early medieval political life. But rather than debate terminology, most early medievalists prefer to study the actual exercise of power in particular times and places.⁸⁷

The desire to do so has led scholars to develop various models for thinking about the exercise of power. In addition to those already indicated earlier, another recent intervention should be singled out. Steffan Patzold’s work on bishops is important for what it has to say about the political roles of such figures, a point we will address in [Chapter 1](#).⁸⁸ It also offers a model for how to think about political history, in that Patzold frames his work as an effort to investigate not just the powers bishops claimed, but how much knowledge of those powers was shared and then acted upon by others.⁸⁹ The theoretical frame helps Patzold, because so much of our evidence on bishops is in quite theologically inflected writings, which may not have been generally accessible. Moreover, the political roles of Carolingian bishops had not been fully conceptualized in the scholarship.⁹⁰ The insistence on referring to the impact of power is similarly a guiding principle in this study, but I do not explicitly frame

⁸⁴ For instance, Innes, *State and Society*, pp. 255–9.

⁸⁵ On the complexity of this terminology, see, for example, Nelson, “The Problematic in the Private.”

⁸⁶ Two interesting analyses, from different angles, on how concepts like “public” were used in the early Middle Ages are: de Jong, “What was *Public* about Public Penance?”; Hoefflich, “The Concept of *Utilitas Populi*.” On the terminology itself: See, for instance, Genicot, “Sur la survivance de la notion d’état”; compare with the assessment in Halphen, “L’idée d’état sous les Carolingiens.” Halphen’s approach is challenged on other grounds by Sassier, “L’utilisation d’un concept romain,” and see overview of Wehlen, *Geschichtsschreibung und Staatsauffassung*, pp. 33–4, with a survey of meanings of state-related concepts on pp. 33–56, with emphasis on the reign of Louis the Pious, but with attention to earlier and later examples. For the related issue of the use of the word *administratio*, see Busch, *Vom Amtswalten zum Königsdienst*, with discussion of the use of the word “public” in an appendix, pp. 114–40.

⁸⁷ See also the useful comments on the historiography in Fouracre, “Comparing the Resources of the Merovingian and Carolingian States,” pp. 287–8 (pp. 1–4 in the reprint).

⁸⁸ Patzold, *Episcopus*. ⁸⁹ Patzold, *Episcopus*, pp. 37–45.

⁹⁰ See also review of Theo Riches. I would like to thank Theo Riches for sending me his review and discussing the book with me.

this investigation in such theoretical terms, for several reasons. First, knowledge of the king is not really the problem for this book; if anything, too much is attributed to Charlemagne, who is often held personally responsible for everything that occurred in his realm during his rule. Second, I will endeavor to measure impact using several indicators: Such as how what the king expected changed the very terms of debate, or the reflection of imperial power locally, or how the reign developed over time. As the very building blocks of political practice were often in flux during the reign of Charlemagne, I have preferred to use multiple ways of measuring impact. One of these, drawing on the recent work of Martin Gravel as well as Patzold, is thinking about networks of knowledge and communication, and the distances that shaped them.⁹¹

These developments in historiography make this moment a good one to return to analysis of Charlemagne. The work on other Carolingians has deconstructed an unhelpful periodization of the era and provides a richer context for interpreting Charlemagne, both what he shared with other Carolingians and where he differed. The local studies allow us to better understand the effect of central power on the regions. The recent return to questions of statehood and public and private helps underscore the political coherence of the Carolingian era. The emphasis on ritual and socially constructed power enables us to study central power as it emerges from the society that created it, rather than assuming that central power engenders social structure. By building on all of these trends, the student of Charlemagne can ask again some important questions about how Charlemagne ruled and what those political choices meant.

A final key intervention in the historiography is the role of the concept of empire in the study of the reign of Charlemagne. In her article on empires and comparative history, Susan Reynolds defines an empire as a polity of (relatively) large size that includes both a metropolitan center and some kind of regional peripheries accumulated by force.⁹² If we employ this loose definition of empire, every such polity will face two primary challenges, namely, delegation, as one cannot control a territory of significant size without it, and the balancing of imperial unity and regional diversity, as both must of necessity exist, and territories added (typically) against their own volition will not immediately accept outside control. Charlemagne's realm is not always conceived of as an empire, largely because of historiographical pressures toward understanding it as a kingdom, as for much of its history the Carolingian world was divided

⁹¹ Gravel, *Distances, rencontres*.

⁹² S. Reynolds, "Empires: A Problem of Comparative History," p. 158.

into kingdoms.⁹³ But Charlemagne's realm was in fact an empire in Reynolds' sense, and we can only analyze how it worked politically by examining these two primary problems of empire, namely, the handling of agents and the management of diversity.

This book will analyze these two problems of empire in turn, considering first how Charlemagne wanted his agents to behave and then what he did when they failed to do so. The second part of the book will examine the realities of regional diversity and the tools by which the Carolingians created an overarching imperial unity that worked with, rather than against, the inevitable regionalism. Finally, the book will conclude by evaluating change over time, and how this imperial structure emerged out of Charlemagne's political practice. Rather than focusing on the imperial title itself or a supposed disintegration of high ideals of rulership that Ganshof argued characterized the end of the reign, our analysis of the problems of empire will reveal the rhythms of change that powered an empire of practice, an empire shaped by pragmatic political concerns within the framework provided by some consistent ideals. Rethinking Charlemagne's empire in this way will allow us to understand better the dynamics of the reign itself as well as the legacy Charlemagne left to subsequent medieval rulers.

The history of the reign as context for the practice of empire

This book is meant to analyze the process by which Charlemagne and his men learned how to rule the empire they created. While the book will address this question thematically, we must begin with a brief overview of certain elements of the reign and the structure of the empire that will be essential for the analysis to follow. The narrative of Charlemagne's years as king has been oft told, and will not be repeated here.⁹⁴ These introductory remarks will simply seek to highlight some key events and structures which will frequently recur in the course of the following thematic analysis.

Despite some dispute over the date, Charlemagne was likely born in 748 to Pippin III and his wife Bertrada.⁹⁵ Pippin was the mayor of the palace, a sort of regent for the figurehead Merovingian ruler, an office

⁹³ See further p. 338.

⁹⁴ There are new scholarly biographies of Charlemagne at the rate of several per decade, all of which provide an overview of the events of the reign. The notes in this section of the introduction are meant simply to indicate some basic works on the topics covered and make no pretension to completeness.

⁹⁵ M. Becher, "Neue Überlegungen zum Geburtsdatum."

he had inherited from his father and shared with his brother.⁹⁶ When his brother retired from secular life in 747, Pippin was king in practice if not yet in name.⁹⁷ This changed in 751 when Pippin deposed the last Merovingian ruler and made himself king of the Franks in his place.⁹⁸ Charlemagne and his younger brother Carloman played at least some role in political life, such as the famous events of 754 when Pope Stephen III traveled to Francia, anointing Pippin and his sons, and proclaiming that henceforth the Franks should always choose their kings from this family.⁹⁹ Charlemagne's biographer Einhard claims he knew almost nothing of his childhood.¹⁰⁰ The claim seems preposterous; Adalhard, for example, Charlemagne's cousin and close adviser, could easily have told Einhard a thing or two.¹⁰¹ Nonetheless, our sources have preserved few details about Charlemagne's youth for the benefit of posterity.

The situation changes radically when Charlemagne himself became king in 768. Charlemagne succeeded in conjunction with his brother Carloman, an uneasy condominium of power we will address at greater length. As we will also see in due course, the evidence for governance, for Charlemagne's efforts to do more than simply command military service, tends to date from around 790 onward. However, the first years of his reign were far from empty. The great wave of conquests that earned him the approbation of his contemporaries and of posterity began almost immediately. His first important conquest was that of Aquitaine.¹⁰² The campaigns are sometimes conceived of as a mere mopping up of his father's project.¹⁰³ Given the complex political situation in the Southwest, it seems to me we would do well not to understate the extent of Charlemagne's achievement in finally pacifying a region that had deeply troubled the last years of Pippin's reign and would continue to pose problems for Charlemagne for quite some time.¹⁰⁴

The 770s were a decade of virtually continuous warfare. The brutal campaigns in Saxony, which would last until 804, began; the conquest of Italy was completed; and an unsuccessful campaign was launched in

⁹⁶ On the office of mayor see, for instance, Fouracre, *The Age of Charles Martel*, pp. 28, 154, 166. On its origins, see Haar, *Studien zur Entstehungs- und Entwicklungsgeschichte*.

⁹⁷ On the slow process of transition, see, for example: Richter, "Die 'lange Machtergreifung'"; M. Becher, "Drogo."

⁹⁸ For some recent perspectives, see M. Becher and Jarnut (eds.), *Der Dynastiewechsel von 751*.

⁹⁹ Noble, *The Republic of St. Peter*, pp. 71–94. ¹⁰⁰ Einhard, *Vita Karoli*, c. 4, pp. 6–7.

¹⁰¹ For basic orientation on Adalhard, see Kasten, *Adalhard*.

¹⁰² Einhard, *Vita Karoli*, c. 5, p. 7.

¹⁰³ For instance, Collins, *Charlemagne*, pp. 38–9, playing down this campaign.

¹⁰⁴ The best synthesis remains Auzias, *L'Aquitaine carolingienne*.

Spain.¹⁰⁵ The major expansion of the 780s was the incorporation of Bavaria, achieved largely without bloodshed.¹⁰⁶ By the 790s, the king's attention more and more moved to governance: The compilation of the *Codex Carolinus*, the collection of correspondence between the Carolingians and the papacy; the efforts to grapple with the succession; the beginning of the process of church reform; the great theological statement encoded in the *Opus Caroli* (earlier known as the *Libri Carolini*); the frequent composition of historical texts.¹⁰⁷ All these developments, among others, date from the years around 790. Conquests, of course, remained: Most notably the incorporation of the Avars in 796, which brought a vast hoard of treasure into the empire,¹⁰⁸ and continued struggles with Danes and Slavs.¹⁰⁹ Yet, from 790 onward, a kind of governmental work, the day-to-day efforts to rule the massive territory accumulated in the previous decades, comes to dominate the evidence for the reign of Charlemagne.

I will argue in this study that this shift to more intensive governance in the years around 790 marks the primary political transition in the reign. Scholars usually have assigned such a status to the imperial coronation in 800. While I will address the reasons why I contest the political significance of the coronation, it was undoubtedly an important symbolic moment during the reign, and requires some brief introduction here. The Franks had established a close relationship with the papacy during the mayoralty of Pippin III and his brother Carloman I, culminating in the aforementioned anointing of Pippin and his sons in 754, and the promise by the pope that henceforth the Franks should always choose their kings from the Arnulfing-Pippinid line.¹¹⁰ For his part, Charlemagne invaded Italy at papal request, although the denouement was not what Pope Hadrian had originally intended. When Pope Hadrian died in 795, he was replaced with Leo III, who had a fraught relationship with various factions at Rome. Leo was attacked by his enemies while processing

¹⁰⁵ M. Becher, *Charlemagne*, includes a concise and clear narrative of these campaigns. While Charlemagne did eventually establish a foothold in Spain, the first campaign did not go well, as will be discussed in [Chapter 8](#), pp. 414–15.

¹⁰⁶ See further [Chapters 1](#) and [5](#) on Bavaria.

¹⁰⁷ On the *Codex Carolinus*, see now Hack, *Codex Carolinus*; on the succession, [Chapter 8](#), pp. 415–23; on church reform, McKitterick, *The Frankish Church*; on the *Opus Caroli*, *Opus Caroli Regis contra synodum*, ed. Freeman with Meyvaert, and the studies in Freeman, *Theodulf of Orléans* and Noble, *Images, Iconoclasm, and the Carolingians*, chapter 4; on historical texts, McKitterick, *History and Memory*.

¹⁰⁸ For orientation on the Avar conquest: Pohl, *Die Avarenkriege*.

¹⁰⁹ See now the overview of expansion in McKitterick, *Charlemagne*, pp. 103–34.

¹¹⁰ The classic study of the development of this relationship is: Angenendt, “Das geistliche Bündnis.”

through the streets of Rome in 799. He was dragged to safety and later escorted by royal agents to Charlemagne, who was currently based at Paderborn, while fighting in Saxony. In 800, Charlemagne headed to Rome to oversee a meeting where Leo purged himself of all accusations against him, without the king sitting in judgment on him directly. A few days later, on Christmas day, Leo crowned Charlemagne as the first emperor in the West since the deposition of Romulus Augustulus in 476. Henceforth, Charlemagne was both emperor and king, although it was the royal office that continued to shape his political behavior.¹¹¹

Charlemagne's political and military achievements have been long recognized, and tend to attract most scholarly attention. But the reign is notable for economic, social, and cultural changes as well. The phenomenon often called the Carolingian Renaissance¹¹² may have borne its most abundant fruit subsequent to the reign of Charlemagne, but the roots go back to a conscious and concerted effort by Charlemagne and his men to raise the quality of religious life in the Carolingian world.¹¹³ The cultural changes can thus not be fully disentangled from religious ones, as the ultimate impetus was spiritual: The Franks had to pray better to earn God's favor.¹¹⁴ Yet from this spiritual concern sprang a movement of diverse cultural striving. More religious art has survived than secular, but developments in many realms of artistic production define the Carolingian Renaissance.¹¹⁵ What is perhaps most notable about the changes associated with the first phase of the Carolingian Renaissance is their variety: There was no one Carolingian style. Carolingian writers and artists borrowed from multiple sources and came up with new artistic techniques and new forms of writing, as well as preserving and adapting the productions of the past. While we now know that the court did not diffuse the new Caroline minuscule handwriting, which helped the spread of literacy and literate production,¹¹⁶ the basic patronage of culture and religion was a royal decision,¹¹⁷ which flowed from the top down to reform cultural and religious life in the empire.

¹¹¹ For full discussion of these issues, with references, see pp. 347–50, 359–62.

¹¹² On the history of the term "Renaissance" for the Carolingian era, there are some useful comments in Sullivan, "Introduction: Factors Shaping Carolingian Studies," pp. 3–7.

¹¹³ For overviews, see Contreni, "The Carolingian Renaissance: Education and Literary Culture"; McKitterick, "The Carolingian Renaissance of Culture and Learning."

¹¹⁴ *Capit.* I, no. 29, p. 79, lines 30–7; also edited in T. Martin, "Bemerkungen zur 'Epistola de litteris colendis'," the edition is on pp. 231–5, with citation at pp. 233–4. See also discussion in [Chapter 6](#), pp. 299–300.

¹¹⁵ For a convenient introduction, see Nees, "Art and Architecture." See also Braunfels and Schnitzler (eds.), *Karolingische Kunst*.

¹¹⁶ Ganz, "The Study of Caroline Minuscule."

¹¹⁷ G. Brown, "Introduction: The Carolingian Renaissance."

The political, military, religious, and cultural realms thus all experienced extensive changes during the Carolingian period and more specifically during the reign of Charlemagne. This extent of change likely marked social and economic life as well, though the changes are more difficult to trace in these contexts. An older literature was deeply concerned with possible social transformations during the Carolingian period. These shifts were usually conceptualized in terms of the nature of the aristocracy, social stratification of the peasantry, and possible variations in the status of free men. In terms of aristocratic social structure, older work investigated the extent to which the Carolingians depended on a new aristocracy, which they in essence invented, rather than older families who had Roman roots or who had supported their Merovingian predecessors.¹¹⁸ The best verdict we can reach is that the aristocracy under the Carolingians was composed of families of variable origins, and often of untraceable descent, but that the Carolingians themselves did not differ much from other noble families.¹¹⁹ What the Carolingians did do was encourage the spread of the so-called *Reichsaristokratie*, or families with estates and influence spread throughout the Carolingian world.¹²⁰ This was more likely the effect of the growing size of the Carolingian empire, rather than a conscious effort on the part of the Carolingian kings to reshape aristocratic life.¹²¹ More recent work is less concerned with possible changes surrounding the make-up of the aristocracy, and has focused instead on exploring secular culture, the nature of aristocratic involvement in politics, and the local societies in which aristocrats played a major role.¹²² Such research allows us to better understand how aristocrats functioned in the Carolingian world, rather than getting stuck in fruitless debates about what percentage of the aristocracy was composed of “new men” rather than older families.

The question of the status of peasants and free men is even more fraught. One of the changes which marks the transition from Late Antiquity to the early Middle Ages is the shift from a slave society to a peasant society.¹²³ When exactly this took place, and what the

¹¹⁸ An English-language entry into the question is provided in Reuter (ed.), *The Medieval Nobility*. And see the other works cited in [Note 63](#).

¹¹⁹ For an excellent *status questionae*, see Airlie, “The Aristocracy.”

¹²⁰ The classic discussion is Tellenbach, *Königtum und Stämme*.

¹²¹ See, for example, the studies of Stuart Airlie, cited in [Note 63](#).

¹²² In addition to the works already cited, see Nelson and Wormald (eds.), *Lay Intellectuals in the Carolingian World*; Stone, *Morality and Masculinity*.

¹²³ See, for instance, Rio, “Freedom and Unfreedom”; now incorporated in her *Legal Practice and the Written Word*, as chapter 9.

consequences of the change were, is still debated. Similarly, scholars have disputed the status of “free men” in the Carolingian world.¹²⁴ The effort is stymied by regular use of outdated vocabulary to describe new circumstances.¹²⁵ Attempting to define the roles of such people seems doomed to failure; surely this is one area where regionalism mattered, and our evidence does not at this stage permit an overview. Virtually all aspects of these changes in social structure are contested, and the details cannot detain us here.¹²⁶ However, there are two points that are essential for our purposes. First, regardless of the timing or extent of the changes in the nature of rural society, there clearly were changes. This means that rural social structures, as was true of so much else during the Carolingian period, were in transition. This book will examine in detail the *ad hoc*, improvised nature of Charlemagne’s rulership and the extensive innovations that marked the nature of that rulership. The widespread changes occurring in Carolingian society helped make such an erratic style of rulership not only possible but necessary. Second, the Carolingian period was a time of economic growth, much of which clearly depended on agricultural change.¹²⁷ The economic and social changes of the period were interconnected, even when we cannot fully untangle the different transitions taking place.

This context of economic dynamism provides the background for an understanding of Charlemagne’s reign. While this book will focus on the political developments of Charlemagne’s reign, not on economic processes with a much longer term chronology, the economic shifts made the political changes possible. The relatively good climate,¹²⁸ the freedom from disease,¹²⁹ the extensive use of water mills,¹³⁰ and so on all helped provide the financial and biological wherewithal for Charlemagne’s reign. So did the revival of trade,¹³¹ perhaps fueled by the selling of slaves to the Caliphate.¹³² While the political economy of the early Carolingian period requires further attention, it is clear that booty alone could never

¹²⁴ For instance, Müller-Mertens, *Karl der Grosse, Ludwig der Fromme und die Freien*.

¹²⁵ On the complex language of social status, see, for example, Devroey, “Men and Women in Early Medieval Serfdom.”

¹²⁶ One recent synthesis is Devroey, *Puissants et misérables*.

¹²⁷ There is a useful overview of the evidence, emphasizing agriculture as a motor of economic development, in Costambeys, Innes, and MacLean, *The Carolingian World*, chapters 5 and 7.

¹²⁸ McCormick, Dutton, and Mayewski, “Volcanoes and the Climate Forcing.”

¹²⁹ McNeill, *Plagues and Peoples*, pp. 107–17.

¹³⁰ Böhme, “Wassermühlen im frühen Mittelalter”; Lohrmann, “Le moulin à eau.”

¹³¹ Overview in McCormick, *Origins*.

¹³² McCormick, “New Light on the ‘Dark Ages’.”

have powered Charlemagne's reign.¹³³ Economic phenomena will only appear occasionally in these pages, but the general upturn in the economy of the early medieval world was an essential precondition for Charlemagne's new style of governance.

Charlemagne lived and functioned in a world far more open than scholars have usually appreciated.¹³⁴ He had important ties to many of the societies that surrounded his empire. The Carolingian alliance with the papacy is a traditional subject of historical research,¹³⁵ and we will have cause to address the papacy at multiple points during the course of this book. Similarly, the testy relationship of the Carolingians with the Byzantines has been long studied.¹³⁶ Perhaps more important, although harder to document, are ties to the non-Christian societies of the early medieval world. The fiercest enemies the Carolingians faced were all pagans: Slavs, Saxons, and Danes.¹³⁷ The Danes also participated in a North Sea world that helped shape economic connections: The Caliphate may have been the Carolingians' most important trading partner, a link sustained by Viking mediation.¹³⁸ Charlemagne's interest in the Holy Land will capture our attention at times, an interest now made much clearer by the research of Michael McCormick.¹³⁹ In short, Charlemagne lived in an age of transition and in a period marked by extensive changes in virtually all areas of life. Charlemagne himself had nothing to do with some of these phenomena, but they created the backdrop against which he invented a new style of ruling to suit his new empire.

A final preliminary concern we must address before beginning our analysis of how Charlemagne ruled is to say something about the basic structure of the empire. This book will frequently examine the numerous changes in how the empire was run, but some preliminary orientation will help situate our analysis of Charlemagne's innovations. Let us begin with the people who surrounded Charlemagne. When speaking of Charlemagne, one of course means not just the individual man, but those who worked with him and made up his court. The traditional view of the Carolingian court is of the place of educated conviviality described

¹³³ On the limits of plunder, see Nelson in the "Introduction" to her *The Frankish World*, pp. xxviii–xxix, and further discussion on pp. 368–9.

¹³⁴ J.R. Davis and McCormick, "The Early Middle Ages."

¹³⁵ Angenendt, "Das geistliche Bündnis," with further literature.

¹³⁶ Classen, *Karl der Grosse*; McCormick, "Byzantium and the West."

¹³⁷ For important new reflections on the Carolingian encounter with paganism, see Palmer, *Anglo-Saxons in a Frankish World*; Wood, *The Missionary Life*.

¹³⁸ McCormick, *Origins*, chapter 25.

¹³⁹ McCormick, *Charlemagne's Survey of the Holy Land*.

in the literature of the so-called court poets.¹⁴⁰ However, the idyllic world of family philosophy discussions, sophisticated intellectual exchange, and learned nicknames sketched in the poetry is at best a highly limited picture of one part of court society for a few short years.¹⁴¹ Not only did much else happen at the court, but this ostensibly jocular group was in reality small, usually foreign born, fraught with the usual tensions and rivalries of academics, short lived, and almost entirely dependent on the king for continued support and their standard of living.¹⁴² This highly literary society did exist: We can see them not just in their verse, but in letters exchanged between the poets and others in their circle including members of the royal family.¹⁴³ It is only one aspect of court society, however.¹⁴⁴ Moreover, the image of a court populated by a group of poets is misleading, as by the time the court really settled down at Aachen, the poets were dispersed across the empire tending to other matters.¹⁴⁵

If these traditional denizens of court society were only a small and temporary component of the Carolingian court, who else was there? The first group we must mention is the king's family.¹⁴⁶ If nothing else, the Carolingians had learned well from the Merovingians that it is essential to control the members of your own family, who are often the greatest threat to a king.¹⁴⁷ To that end, Charlemagne worked to remove

¹⁴⁰ On the problems with this viewpoint, see Bullough, "*Aula Renovata*," p. 269 (p. 124 in the reprint).

¹⁴¹ Useful here is Bullough, *Alcuin*, pp. 433–7; see also Garrison, "The Social World of Alcuin."

¹⁴² On the foreign birth of the poets: Fleckenstein, "Karl der Grosse, seine Hofgelehrten," pp. 34–5. On rivalry among poets, see, for example: Godman, *Poets and Emperors*, pp. 53–6 on the switch from an Italian to an Anglo-Saxon milieu at court. On the short life of the court: There is a persistent misunderstanding in the literature, assuming that most court poetry was written at the Aachen court. This is clearly not the case, as has been shown by, among others, Bullough, "*Aula Renovata*"; Bullough, *Alcuin*, pp. 332–41; and Schaller, "Vortrags- und Zirkulardichtung." Godman argues that productions not actually written at the court should not count as court literature (Godman, "Louis 'the Pious' and his Poets," p. 240), but I think this goes too far, and I prefer, with Nees, to focus on the factors linking this as a literature even if it is essential to note that it was not all composed in the same time or place (Nees, *A Tainted Mantle*, p. 123). On dependence on the king: Godman, *Poets and Emperors*, pp. 50–1. These works also make clear the small numbers involved in this cultivated literary circle.

¹⁴³ And in particular, royal women, see Nelson, "Women at the Court of Charlemagne," pp. 54–8 (pp. 236–40 in the reprint).

¹⁴⁴ For an evocative portrait of the busyness characteristic of the Carolingian court see Nelson, "Was Charlemagne's Court a Courtly Society?" pp. 40–2.

¹⁴⁵ Amply demonstrated by Schaller, "Vortrags- und Zirkulardichtung"; see also Bullough, *Alcuin*, p. 435.

¹⁴⁶ Nelson, "La cour," pp. 180, 184.

¹⁴⁷ Airlie, "Charlemagne and the Aristocracy," pp. 99–100.

alternate sources of legitimate kings, whether by naming patterns, baptismal godparents, monastic confinement, or perhaps even murder.¹⁴⁸ Nonkingworthy relatives, on the other hand, were highly useful. They had immediate reason to benefit from Charlemagne's success and could, at least ideally, be trusted to be loyal servants.¹⁴⁹ We indeed see many of Charlemagne's family members working in this way, such as Adalhard of Corbie.¹⁵⁰ Another example is Adalhard's father, Bernard, who led one of the two armies that invaded Italy.¹⁵¹ As the reign progressed, Charlemagne's sons, and in particular Charles the Younger, led more campaigns.¹⁵² The work of Janet Nelson has done much to elucidate the role of women in the reign, from the traditional intercession of royal wives to the royal daughters who replaced the queen in the later years of the reign.¹⁵³ Family via marriage was important, too.¹⁵⁴ We need only point here to Gerold, prefect of Bavaria, who was the brother of Queen Hildegard, and to Angilbert, lover of Charlemagne's daughter Bertha, who filled a number of significant, if often *ad hoc*, posts.¹⁵⁵ The Carolingian court, then, was populated by the king's family as well as the educated scholars who came and went.

In addition to the poets and relatives, there were the more basic supports for the king's rule: The aristocrats, secular and ecclesiastic,

¹⁴⁸ Naming: Such as the baptism of Pippin in 781, sharing a name with the son of Himiltrude, Pippin the Hunchback, who already bore this important Carolingian moniker and godparents: Such as having the pope stand godfather to the king's son (not itself a means of exclusion, but a way of marking out those not so honored); see the Royal Frankish Annals s.a. 781, p. 56; analyzed in Angenendt, "Taufe und Politik," especially pp. 144–5, 148–9; Angenendt, "Das geistliche Bündnis," pp. 70–90; monastic confinement: For example, Pippin the Hunchback; see Einhard, *Vita Karoli*, c. 20, pp. 25–6; revision of the Royal Frankish Annals s.a. 792, pp. 91–3; see also: Krah, *Absetzungsverfahren*, pp. 36–40; K. Brunner, *Oppositionelle Gruppen*, pp. 62–6; on possible murder, see discussion of the sons of Carloman in Chapter 3, pp. 160–1.

¹⁴⁹ Nelson, "La cour," p. 180 on the role of the king's relatives at court.

¹⁵⁰ On Adalhard, see Kasten, *Adalhard*, for orientation on his career.

¹⁵¹ See account in the Royal Frankish Annals s.a. 773, pp. 34–6.

¹⁵² For example, the Royal Frankish Annals record Pippin of Italy leading a campaign in 787 (p. 78), 796 (pp. 98–100), 800 (p. 110), 801 (p. 114), 810 (p. 130); Louis in 809 (p. 127); and Charles the Younger in 784 (pp. 66–8), 794 (p. 94), 799 (p. 106) in conjunction with his father, and alone in 805 (p. 120), 806 (pp. 121–2), and 808 (p. 125). The sons were kingworthy of course, just not yet. While many Carolingian kings struggled with their sons, the revolt of Pippin the Hunchback was the only filial rebellion Charlemagne faced.

¹⁵³ Nelson, "Women at the Court of Charlemagne," pp. 51–4 and 56–60 (pp. 232–6 and 238–42 in the reprint), on wives and daughters respectively.

¹⁵⁴ See, for example, Airlie, "Semper Fideles?" p. 131.

¹⁵⁵ On Gerold, see Ross, "Two Neglected Paladins"; Borgolte, *Die Grafen Alemanniens*, pp. 122–6. See p. 417 for the details of Angilbert's career. Angilbert did also hold more permanent positions as the lay abbot of Saint-Riquier/Centula and potentially the primicerius of Pippin of Italy.

who were essential for the success of the reign. We cannot imagine Charlemagne's advisers as an unchanging group; most of these people, if not indeed all, had local power bases and spent much of their lives there.¹⁵⁶ They were not physically at the court all the time.¹⁵⁷ They would die and be replaced, come and go with their own affairs, and devote more or less attention to empire-wide matters.¹⁵⁸ Thus, while they were a group in motion, they were also a constant pool from which the king drew as he tried to manage his realm.¹⁵⁹ We can see these people most clearly when they are high aristocrats, but there were also of course other lower level scribes, vassals, and assorted hangers-on who did form a more permanent staff of servants.¹⁶⁰ The image of a precious and cultivated court is not without merit, but it represents only one small slice of Carolingian court society.¹⁶¹ We are better off imagining several overlapping and constantly shifting court societies: Populated by poets, bishops, clerks, scribes, counts, visiting aristocrats, ambassadors to the realm, family, servants, vassals.¹⁶² This was a court society that was never fixed.¹⁶³ Carolingian governance is sometimes faulted for its inconsistency and inefficiency; given that these wandering aristocrats and motley hangers-on were its primary implementers we should perhaps be more amazed that there was any consistency at all.

Many of the aristocrats who visited the court, as we noted earlier, also had roles locally as Charlemagne's men on the ground. The primary royal servants in the realm of Charlemagne were counts, bishops, and *missi*. The main roles assigned to such agents are easily stated. The count's job was to ensure local administration, for which his responsibilities included giving justice, mustering the host, and maintaining the peace.¹⁶⁴ The *missus*, at least the regular *missus*, was a royally delegated

¹⁵⁶ Innes, "Charlemagne's Government," p. 86.

¹⁵⁷ The constant travels of high level aristocrats are revealed incidentally in allusions to such travels in, for example, Theodulf's poem on the court (Theodulf, no. 25, in *Poetae I*, here p. 487, line 143 for reference to Riculf's travels and line 146 on the absence of Angilbert; on which see also Godman, *Poetry of the Carolingian Renaissance*, p. 7).

¹⁵⁸ Cubitt, "Introduction," to her edited collection *Court Culture in the Early Middle Ages*, pp. 9–10.

¹⁵⁹ Innes, "A Place of Discipline," p. 61.

¹⁶⁰ On the high aristocracy: K.F. Werner, "Important Noble Families," pp. 178–9. On other court figures: See here comments of Nelson, "Was Charlemagne's Court a Courtly Society?" pp. 41–2.

¹⁶¹ Garrison, "The Emergence of Carolingian Latin Literature," p. 111 on the small numbers involved in literature.

¹⁶² See also Nelson, "Was Charlemagne's Court a Courtly Society?" pp. 41–3.

¹⁶³ See also the observations of Bullough, *Alcuin*, p. 437.

¹⁶⁴ Ganshof, "The Institutional Framework of the Frankish Monarchy," p. 91; Nelson, "Kingship and Royal Government," here pp. 410–11. For instance, giving justice and

supervisor, meant to oversee the conduct of governance generally in the empire.¹⁶⁵ The bishop was the steward of his diocese, tasked preeminently with directing religious life in his area of responsibility and secondarily for managing the wealth of the church and accounting for what it owed to the king.¹⁶⁶ These men supervised local officials who served under them, and whom we will meet in more detail when we examine judicial activities in [Chapter 1](#). Charlemagne, if one may generalize, chose his own *missi* and potentially some bishops;¹⁶⁷ the selection of counts is less clear, and it is a problem we will return to. Counts and bishops obviously had long existed in the Frankish world. I will argue later that Charlemagne's treatment of counts entailed a massive reorientation in what was expected of them. His treatment of bishops was less blatantly innovative, but here too the king's interactions with these agents changed some Frankish precedents and is a topic worthy of further research.

The fact that Charlemagne's treatment of *missi* was a marked innovation in the reign has long been recognized.¹⁶⁸ A *missus* is simply a person delegated by the king to achieve a particular task. Frankish, and other early medieval, rulers had long employed such *missi*. The elaboration of the office associated with Charlemagne was the shift from the use of occasional *missi*, who were sent out to fulfill a defined and limited task, to the use of regular *missi*, who were agents sent out in teams to review the status of life in the empire generally and to act in the name of the king. In addition to continuing to employ occasional *missi*, Charlemagne in essence invented the office of the regular *missus*. Within this basic framework, numerous problems remain. First, the *Annals of Lorsch*, an important narrative source we will encounter again, suggest that Charlemagne instituted a reform of the *missi* in 802, whereby lower status *missi* were replaced with high aristocrats who would ostensibly be immune from bribery.¹⁶⁹ Jürgen Hannig has demonstrated that this is not entirely

keeping the peace: *Capit. I*, no. 33, c. 25, p. 96; mustering the host: *Capit. I*, no. 50, c. 1, p. 137.

¹⁶⁵ K.F. Werner, "*Missus-marchio-comes*," p. 195 (p. 112 in the reprint). See Ganshof, *Frankish Institutions*, pp. 23–6 on types of *missi*. And still valuable is the overview in Krause, "*Geschichte des Institutes der missi dominici*," pp. 202–22.

¹⁶⁶ See, for example, one Carolingian expression of the high responsibility of the bishop in *Capit. I*, no. 22, c. 60, p. 57 (also ed. *AG*, introduction to part 2 of the capitulary, p. 208), and further comments of K.F. Werner, "*Missus-marchio-comes*," pp. 197–203 (pp. 114–20 in the reprint). The rest of the capitulary lays out many of the more specific tasks with which bishops were charged.

¹⁶⁷ On selection of bishops, see Schieffer, "Karl der Große und die Einsetzung."

¹⁶⁸ The works cited in [Note 165](#) provide a sense of the traditional views.

¹⁶⁹ The *Annals of Lorsch* s.a. 802: *Codex Vindobonensis 515*, ed. Unterkircher, pp. 39–41; text can also be consulted in *SS 1*, pp. 38–9.

accurate, and that there were *missi* of various status both before and after 802.¹⁷⁰ A problem that has received less attention to date is the expectation that *missi* were sent out in teams of usually two men, one laymen and one cleric, who held other offices of some kind in the regions assigned to them as *missatica*,¹⁷¹ to undertake regular tours of inspection. There is evidence for such regular tours and set models for how to send out *missi*, but the majority of it dates from the reign of Louis the Pious.¹⁷² For the reign of Charlemagne, we would do best to think of the *missi* as men close to Charlemagne, who acted on his order, but in more variable ways than later *missi* would.¹⁷³

The agents who served as the king's men on the ground were also, as we noted earlier, part of the court broadly understood. In addition to their dealings with the king in the course of performing their duties and their informal contact with him, the main venue for aristocrats to interact with the king was the royal assembly.¹⁷⁴ The essential role that assemblies played in offering a locale for the king to meet with the political elite has been well established.¹⁷⁵ Such meetings provided a venue to discuss and announce plans, to formulate royal laws, or capitularies, and for the king to get a sense of what was happening locally. Our best description of what went on at assemblies comes from Hincmar of Reims, working (probably) from an earlier source, but one that he had revised.¹⁷⁶ While not all of Hincmar's testimony necessarily holds for the reign of Charlemagne, his emphasis on assemblies as a site for the king to speak to his people underscores for us the personal components of Carolingian rule.

It has long been assumed, partly on the basis of Hincmar's testimony, that most capitularies (the royal laws issued, usually, in chapter format) were promulgated at assemblies. Recent work, to my mind rightly, has argued against an inevitable connection between assemblies and capitularies.¹⁷⁷ Some capitularies were certainly produced at assemblies, but not all. Assemblies, even those that did not produce capitularies, were

¹⁷⁰ Hannig, "*Pauperiores vassi de infra palatio?*"

¹⁷¹ The best study of the geography of the *missi* remains Eckhardt, "Die Capitularia missorum specialia."

¹⁷² See, for instance, Louis' regulations on the holding of *placita*: *Capit.* I, no. 141, c. 25, p. 291.

¹⁷³ I hope to make this argument about the work of the *missi* under Charlemagne more fully elsewhere.

¹⁷⁴ Assemblies are often called "*placita*" in the sources. The word can refer to general assemblies of the realm or more local meetings, and often has a judicial connotation.

¹⁷⁵ Airlic, "Talking Heads"; Reuter, "Assembly Politics"; Gravel, *Distances, rencontres*, pp. 130–42.

¹⁷⁶ Hincmar of Reims, *De ordine palatii*, chapters 34–5, pp. 90–4.

¹⁷⁷ Pössel, "Authors and Recipients," pp. 255–66.

key moments for negotiation between king and elites, and as such will attract our attention at various places. Moreover, there is another link between capitularies and assemblies, namely, the expectation that capitularies emanating from the court would be read out in local assemblies, thus allowing the king to use the capitularies as a tool of communication with local regions even if the capitularies themselves were not composed in an assembly context.¹⁷⁸

Regardless of how they were made known, capitularies offer some of the best evidence we have on governance, and thus they deserve a few words of explanation here. Just about everything about capitularies has been debated, ranging from what gave them force, to the form in which they were originally written down, to how fully they were made effective.¹⁷⁹ My starting point for using this evidence is that these sources are expressions of royal will, which were put together in varying ways. How they were made effective is something we will return to many times during this study. The key points for us to establish here, however, are that the capitularies are indeed a coherent genre of source and that they represent a major innovation in Charlemagne's rulership. The capitularies are one of the most characteristic and well known products of Carolingian governance.¹⁸⁰ The legal tradition may have diminished during the transition from Roman rule, but the Merovingians never entirely abandoned legislation, and the Carolingians as mayors of the palace and then kings revived the format.¹⁸¹ The capitulary format was thus an old one, although the name "capitulary" is an early Carolingian rather than Merovingian usage.¹⁸² Nonetheless, legal pronouncements of variable character arranged in chapters was a traditional Frankish legal form by the time Charlemagne came to power.¹⁸³ The definition of a capitulary given just earlier is perhaps the best we can do, but there are issues in

¹⁷⁸ For capitularies as a tool of local communication see, in particular, Innes, "Charlemagne's Government," pp. 76–80.

¹⁷⁹ Some key literature includes: Hannig, *Consensus fidelium*, pp. 179–84; Hägermann, "Zur Entstehung der Kapitularien"; R. Schneider, "Zur rechtlichen Bedeutung"; R. Schneider, "Schriftlichkeit und Mündlichkeit"; Ganshof, *Recherches sur les capitulaires*; and the studies collected in Mordek, *Studien zur fränkischen Herrschergesetzgebung*.

¹⁸⁰ Importance of the capitularies: Ganshof, "The Institutional Framework of the Frankish Monarchy," p. 102; on fame of Carolingian legal work: Wormald, *The Making of English Law*, p. 49.

¹⁸¹ Nelson, "Literacy in Carolingian Government," pp. 261–3 (pp. 4–6 in the reprint).

¹⁸² The oldest surviving capitulary is a letter of Clovis dated to the early sixth century; *Capit. I*, no. 1, pp. 1–2; for the dating see Mordek, *Bibliotheca*, p. 1079. On terminology: Mordek, "Karolingische Kapitularien," p. 26 (p. 56 in the reprint).

¹⁸³ Mordek, "Karolingische Kapitularien," p. 26 (p. 56 in the reprint); see also his note 18 on pp. 28–9 (pp. 58–9 in the reprint).

terms of determining what kinds of texts should be counted as capitularies. There are documents usually classed as capitularies that aim at a wide variety of functions, ranging from a sermon, to administrative pronouncements, to advice for bishops.¹⁸⁴ Part of the problem is the difficulty of classification.¹⁸⁵ We lack so many administrative documents that we do tend to lump together all of what we have as capitularies.¹⁸⁶ In a recent article, Steffen Patzold has argued against seeing the capitularies as a genre, because one must investigate the normative status of each text on its own merits.¹⁸⁷ Patzold is surely right that the capitulary classification has come to be a grab bag for many different types of texts, which do not necessarily have much in common. However, we should not be too hasty to discard the genre altogether. The Carolingians themselves employ the term and, just as importantly, the manuscripts treat many of these diverse texts in the same way; that is, the capitularies tend to look different than other legal materials in the manuscripts. Moreover, many of the texts traditionally classed as capitularies should indeed be seen in these terms because they were meant to be law.¹⁸⁸ I will treat the capitularies then as normative expressions of royal will and as a category of text recognized as such by contemporaries.¹⁸⁹

Having defined what a capitulary is, we need to say something about the characteristics of Charlemagne's capitularies. One of the more notable features of Carolingian capitularies is that they combine religious and secular legislation as a matter of course. Unsurprisingly then, the capitularies address both strictly "secular" officials, such as counts, judges, *missi*, and so on, and religious figures, not just bishops with their

¹⁸⁴ For instance, a sermon: *Capit.* I, no. 121, pp. 239–40; administrative pronouncement: *Capit.* I, no. 66, p. 155; advice for bishops: *Capit.* I, no. 22, c. 82, pp. 61–2 (also ed. *AG*, c. 80, pp. 234–8).

¹⁸⁵ The failings of efforts to classify the capitularies on the basis of secular vs. ecclesiastical texts, or in terms of kinds of lay capitularies, have long been apparent. The voluminous literature on the problem of capitulary classification includes: Ganshof, *Recherches sur les capitulaires*; Mordek, *Studien zur frankischen Herrscheresetzgebung*; Campbell, "Die Kapitularien"; Seeliger, *Die Kapitularien der Karolinger*; Buck, *Admonitio und Praedicatio*, pp. 25–31; Bühler, "*Capitularia Relecta*"; Pössel, "Authors and Recipients."

¹⁸⁶ For example, the survey of religious institutions in the Holy Land (now re-edited and analyzed by Michael McCormick) is a royal administrative document, but not a capitulary: McCormick, *Charlemagne's Survey of the Holy Land*.

¹⁸⁷ Patzold, "Normen im Buch."

¹⁸⁸ For example, Charlemagne's responses to the questions of a *missus* (*Capit.* I, no. 58, pp. 145–6) is again not a capitulary, but an administrative document. However, given that many of the answers are relevant for other *missi* and have some broader application, one could reasonably also consider this to be a legal document. See discussion of this text in Chapter 6, pp. 294–8.

¹⁸⁹ For full discussion of this issue, see my *Per capitularios nostros*.

extensive administrative duties, but also monks, nuns, and all kinds of clerics.¹⁹⁰ More unusually, Charlemagne's capitularies are also vitally concerned about the general population of the empire.¹⁹¹ What Charlemagne was attempting in the capitularies is indeed legislation for an empire, touching all people and concerning numerous areas of life. Charlemagne issued around ninety capitularies, more than any other Frankish king before or after. And he used this traditional genre more intensively and more widely than previous practice would have dictated, employing capitularies as tools of admonition, administration, and public communication. The capitularies of Charlemagne are notable for their number, vision, and reach. His legislation thus stands alone as an innovation in Frankish legal practice.¹⁹² This was an effort to create comprehensive legislation: A *mélange* of religious and secular concerns, a complex and varied body of texts that are not easily classifiable, legislation explicitly directed to all. As such, these materials will be of constant interest to us in this study.

A final point about the structure of the empire requires some comment as we begin, and this is the difference between Charlemagne's empire and most models of empire. Many of the features one tends to associate with an empire, such as regular taxation and a standing army, are missing from Charlemagne's polity. As we will see, the army could be gathered in various ways, but was called up as needed.¹⁹³ Charlemagne managed his land frugally, controlled his coinage carefully, and profited from a broader economic upswing. A primary source of his wealth, however, always remained his landholding. While he was never itinerant, as we will see later, he owned a wide network of estates, which provided, in conjunction with trade and conquest, the economic basis for the

¹⁹⁰ To give just one example for each: For counts: *Capit.* I, no. 60, c. 3, p. 147; for judges: *Capit.* I, no. 33, c. 26, p. 96; for *missi*: *Capit.* I, no. 35, c. 59, p. 104 (though of course *missi* could be either clerics or laymen); for bishops: *Capit.* I, no. 78, c. 23, p. 174; for monks: *Capit.* I, no. 28, c. 11, p. 75; for nuns: *Capit.* I, no. 33, c. 18, p. 95; for all clerics: *Capit.* I, no. 22, c. 10, p. 55 (also ed. *AG*, c. 10, p. 190). There are also many chapters directed at *sacerdos*, which could mean priests or bishops or both; such as *Capit.* I, no. 64, c. 5, p. 153. On the administrative duties of bishops, see Nelson, "Kingship and Royal Government," p. 414; K.F. Werner, "*Missus-marchio-comes*," pp. 197–204 (pp. 114–21 in the reprint).

¹⁹¹ For legislation explicitly addressed to "all" or to "the people" see, for a few examples: *Capit.* I, no. 22, c. 62, p. 58 (also ed. *AG*, c. 61, pp. 210–12); *Capit.* I, no. 35, c. 39, p. 104; *Capit.* I, no. 40, c. 19, p. 116; *Capit.* I, no. 62, c. 20, p. 150; *Capit.* I, no. 78, c. 11, p. 174; *Capit.* I, no. 83, c. 1, p. 181, and c. 3, p. 182; *Capit.* I, no. 84, chapters 1, 3, and 7, p. 182. Even if the "all" meant in practice the elite, the rhetoric of inclusion is important.

¹⁹² I make this argument more fully in my forthcoming book, *Per capitularios nostros*.

¹⁹³ See discussion in [Chapter 1](#), pp. 87–8.

Carolingian economy. The imperial structure elaborated by Charlemagne and his men thus stands out from what we might expect of most empires, and yet provided a firm foundation for the subsequent development of the Carolingian world.¹⁹⁴ The patterns of power that characterized Charlemagne's empire held during his reign, even when those patterns are sometimes surprising.

Rethinking Charlemagne's political practice

Rethinking Charlemagne's political practice in terms of patterns of power reveals a number of features of his rulership that have been little appreciated in the scholarship to date. In what follows, I will analyze the aspects of Charlemagne's rulership that defined how he ruled and how he managed to hold the empire together. This investigation will not touch on all aspects of his rule, but will emphasize the areas where the methodology of searching out patterns of power reveals aspects of rulership that are due for reinterpretation. The book is divided into three sections, each of which takes up a series of major questions about Charlemagne's rulership.

Part I of the book will analyze the strategic efforts employed by the king to control his men. We will begin by investigating a characteristic tool Charlemagne used to structure service, namely, the tendency to assign the same task to multiple agents. We will then move to the response of the king when his men failed to do as they ought, examining first how often Charlemagne sought to remove a count from office and then turning to the treatment of dissent and rebellion. **Part II** takes up the second main challenge of empire, namely, balancing the concerns of centralization with the reality of local particularity. This part of the book will begin by examining the nature of Charlemagne's imperial authority, and how respect for regional difference was incorporated into an overall framework of imperial control. The **next chapter** addresses the question of managing regional particularity, and explores how the Franks made use of the conquered regions as arenas for experimentation. Diversity may have been inevitable, but it could be used productively. Having established the creative use of regional difference and the existence of imperial overlays on regional diversity, **Part II** will conclude by asking what kind of unity Charlemagne actually wanted, and will demonstrate that the king sought to foster centralization, but very rarely standardization. After two

¹⁹⁴ Wickham, *Framing the Early Middle Ages*, provides much food for thought about how Francia, and Charlemagne's empire in particular, differed from some traditional early medieval models.

thematic treatments of the primary problems of empire, [Part III](#) turns to issues of chronology and change, examining how Charlemagne's rulership developed over time. [Chapter 7](#) addresses the overall chronology of the reign, arguing that neither the years surrounding the imperial coronation nor the end of the reign marked major breaks in political practice. Rather, other than the intensification of sources around 790, the basic patterns of power did not radically change during the reign. This of course does not mean that nothing changed during Charlemagne's more than forty years in power. [Chapter 8](#) will examine the nature of changes in rulership, arguing that a dynamic of near constant political shifts, ordered by some consistent royal goals, shaped the events of the reign and helped feed a momentum of success. The book will conclude with the argument that what Charlemagne created was an empire of practice, an empire structured by *ad hoc*, and yet strategic, choices about rulership, and driven by the dynamics of constant political change. The ideology of empire so often associated with the Carolingians has little to do with Charlemagne, whose empire was much more profoundly shaped by immediate political concerns rather than deliberately articulated visions of empire. The Conclusion will evaluate the afterlife of Charlemagne's practice of empire, setting out the complex legacy Charlemagne left for the many medieval kings who would seek to model themselves on him.

Part I

Strategic rulership

Part I introduction: tools of control and coercion

The scope of Charlemagne's ambition is breathtaking. Charlemagne's conquests virtually doubled the amount of territory he ruled, and the king and his advisers set out to dominate all of it.¹ The Byzantine condescension toward Charlemagne in the wake of his imperial coronation may not be entirely fair,² but one can appreciate the amazement of the Eastern Romans at this Germanic war leader who went from being a co-king to a papally proclaimed emperor in thirty years. Whatever Charlemagne and his men may have lacked, they did not want for initiative and enthusiasm. Yet, again and again, what Charlemagne and his advisers said they intended, they did not achieve. The realm faced constant challenges.³ The king had to repeat some basic instructions for his agents ad nauseam, suggesting his constant imprecations were not having much of an impact.⁴ Efforts to incorporate areas on the borders of the empire like Benevento failed.⁵ Even where the king succeeded, it often took years of grueling warfare to impose Frankish control, as in Saxony.⁶ The peaceful takeover of Bavaria was not enough to prevent years of painstaking reconciliation.⁷ A gap between a political entity's ideals and its actual achievements may be inevitable, especially in the premodern world, but the chasm between what the king and court

¹ Einhard, *Vita Karoli*, c. 15, p. 17.

² Theophanes, *Chronicle*, for *anni mundi* 6293, p. 653, for a report on the coronation, and, for the relationship as a whole, see the survey of contact with Byzantium in McCormick, "Byzantium and the West."

³ Nelson, "Making a Difference," p. 172.

⁴ For example, the regulations prohibiting bribery include: *Capit.* I, no. 61, c. 7, p. 149; *Capit.* I, no. 78, c. 10, p. 174; *Capit.* I, no. 80, c. 3, p. 176; *Capit.* I, no. 85, c. 2, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 100–1); *Caroli Magni capitulare generale*, c. 17 (ed. Mordek, *Bibliotheca*, p. 992).

⁵ For a survey of Charlemagne's unsuccessful interventions in Benevento see Bertolini, "Carlomagno e Benevento." Also useful is G.V.B. West, "Charlemagne's Involvement." For my interpretation of the failure, see p. 224.

⁶ See discussion in [Chapter 3](#), pp. 157–60 on the brutality of the Saxon conquest.

⁷ For some different perspectives on the integration of Bavaria into the Carolingian world, see W.C. Brown, *Unjust Seizure*, and Freund, *Von den Agilolfingern zu den Karolingern*.

claimed to want and what actually happened seems especially wide in eighth- and ninth-century Europe.

This gap between ideal and reality has led most historians of early medieval Europe to conclude that Charlemagne attempted to control his empire as fully as possible and that he simply failed to achieve his aims completely. I will argue in this book that this assumption about the nature of imperial control fails to portray accurately the nature of Charlemagne's empire, which was far more improvised, and yet also effective, than it is often given credit for being. Charlemagne's approach to ruling an empire was not totalitarian, but strategic. We will begin to build this argument by looking at one of the primary problems of empire discussed in the [Introduction](#), namely, the need to control agents. Any empire the size of Charlemagne's necessitates relying on agents to help rule it and the need is even more pronounced in a premodern empire. This section of the book will examine how Charlemagne tried to control the service of the men who worked for him throughout the empire.

We will begin by thinking again about the kinds of tasks the court attempted to assign to agents. Rather than asking his men to fulfill clearly defined official roles, Charlemagne fostered a culture of service predicated on repetition, flexibility, and local initiative. This was not simply a reflection of circumstances the court could not change, but a tendency toward encouraging a particular style of official service. No matter how cleverly the court apportioned tasks to agents, there would inevitably be those agents who failed to do as they were told. [Chapter 2](#) examines this persistent problem by looking at how Charlemagne responded to those who did not do what he wanted. This chapter argues that the reaction of the court to such disruptions in official service was largely to render them irrelevant rather than trying to fix them. The king's political problems could become much worse than simply having agents who were not very good at their jobs. [Chapter 3](#) will thus move on to consider more serious disruptions in royal service, examining dissent and revolt, and the response of the court to such dire political situations. Assessing the moments where Charlemagne's control over his empire faltered will allow us to address the ways in which authority could be reimposed once broken and to investigate the basic framework of royal control and coercion.

This analysis of control and coercion will allow us to think about Charlemagne's governance as strategic rulership, as the careful use of the tools available to the king and court to maintain control where necessary and maximize the limited resources available to them. It is my contention that we need to reexamine both what Charlemagne and his court were trying to achieve and how well they reached these goals.

Charlemagne did intend to control lots of things, and he was interested in virtually everything. But the Frankish king did not try to control all aspects of life in his empire. Moreover, the tools used to pursue this control were variable, limited, and predicated on strategic choices about what was really necessary and what could be left to the side. Charlemagne's management of his empire depended on careful choices about where to exert his authority, resulting in an uneven but still effective exercise of power.

1 Managing royal agents

It was impossible for Charlemagne to rule alone, not that there is any indication it ever occurred to him to do so. Delegating specific tasks to royal agents was thus a necessity. However, delegating brought with it a double danger: Agents could fail to fulfill royal commands or they could accumulate too much power in the course of doing the king's bidding.¹ Charlemagne delegated in many ways, but despite the variety in these efforts, a recurrent approach allowed the king to depend on aristocratic help but also to guard against both kinds of recalcitrant officials. This approach was his preference to pursue any one task in several ways at once, or to assign more than one individual to deal with the same administrative task. Rather than entrust a clearly defined commission to his agents, the king tended to send his men off with amorphous and overlapping responsibilities. This approach to apportioning power was not the only way that the king maintained control of his realm, but it was a consistent and considered aspect of his rulership. While a certain amount of doubling of responsibilities is typical of premodern empires, the ways in which Charlemagne encouraged a particular type of overlapping responsibilities among his agents help define his rulership.²

Trying to do the same thing in many different ways at once is admittedly not the most efficient approach to governance. Such an approach would tend toward disorganization, possible conflict among the approaches pursued, and confusion over which avenue to pursue at any given moment. However, such an approach had several virtues as well. It provided the king with a ready made fallback plan in case one way of doing something did not work. It involved multiple people and tools in the same tasks, which limited particular individuals from accruing too much power, but also left room for creativity. If one tries many approaches, it is more likely

¹ Nelson, "Kingship and Royal Government," p. 410. For a general discussion of delegation and its problems, see Gravel, *Distances, rencontres*, chapter 4.

² One comparison is to the empire of Philip II: See Parker, *The Grand Strategy of Philip II*. I would like to thank Jinty Nelson for recommending Parker's work to me.

that at least one of them will work, and then one can always adapt accordingly. Given that it was not possible for Carolingian governance to be fully consistent, fostering a sort of controlled inconsistency was not necessarily a bad idea.

This chapter will explore royal efforts to exercise power by explicitly assigning royal agents tasks that overlapped with other agents.³ The double delegation of duties handed out by the king is a persistent phenomenon in Carolingian rulership, but we will consider this problem here by looking at the assignments given to judicial agents in royal legislation. Even if the king and court wanted more than one agent undertaking the same kinds of tasks, it does not of course mean that the court got what it wanted. The chapter will thus next examine the evidence for double delegation in records of actual court cases and in a case study of a particular royal agent who held more than one office. This discussion of judicial practice will allow us to draw some conclusions about the impact of this approach to delegation on local societies. The chapter will end by considering the scope of the phenomenon of overlapping in governance and will assess how much we can see it as an intentional policy.

Charlemagne's justice: double delegation and overlapping office⁴

A fundamental duty of any Christian king was justice, a responsibility which Charlemagne took seriously.⁵ To that end, the king devoted much time and effort to judicial matters, evident in his issuing of capitularies,

³ One might draw a distinction between local agents and central agents when studying imperial political structures. Because Carolingian agents tended to operate on both imperial and local levels at once, I think the distinction does not aid us and I will avoid it, preferring instead to look at how individuals combined their local and imperial roles in the course of working for both themselves and the king.

⁴ Some of the material in this section of the chapter has been published in slightly different form in my "A Pattern for Power." I thank Ashgate for permission to reuse the material here.

⁵ See, for example, *Capit.* I, no. 22, c. 63, p. 58, also ed. *AG*, c. 62, p. 212, which I cite here: "Omnibus. Ut quibus data est potestas iudicandi iuste iudicent, sicut scriptum est: *Iuste iudicate, fili hominum*, non in muneribus, *quia munera excecant corda prudentium et subvertunt verba iustorum*, non in adolatione nec in consideratione personae, sicut in deuteronomio dictum est: *Quod iustum est, iudicate, sive cives sit ille sive peregrinus, nulla sit distantia personarum, quia dei iudicium est*.

Primo namque iudici diligenter descenda est lex a sapientibus populo composita, ne per ignorantiam a via veritatis erret. Et dum ille rectum intellegat iudicium, caveat, ne declinet, aut per *adolationem* aliquorum aut per *amorem cuiuslibet amici* aut per *timorem alicuius potentis* aut propter *praemium recto iudicio declinet*. Et honestum nobis videtur, ut iudices ieiuni causas audiant et discernant." On justice as a fundamental duty of a

reform of the national laws, settlement of disputes, holding of synods, and protecting the poor, among other judicial efforts.⁶ The judicial arena in which the king was perhaps the most active was the legislative. The king issued approximately ninety capitularies, virtually every one of which makes some reference to judicial matters.⁷ The judicial interests reflected in this copious legislative material range from judicial procedure to prohibiting perjury to the running of court sessions to the need for justice in order to ensure salvation for both the king and his people.⁸ We can thus use the legislation on justice in the capitularies to examine

Christian king: McKitterick, "Perceptions of Justice," especially pp. 1075–80; Nelson, "Kingship and Empire," pp. 58–9.

⁶ The capitularies not only emphasize justice, but often begin or end with chapters on judicial topics; for example, *Capit. I*, no. 33, c. 1, pp. 91–2. Examples of other kinds of royal judicial work: National law reform: Einhard, *Vita Karoli*, c. 29, p. 33; dispute settlement: There are eleven records from cases Charlemagne himself heard: DK nos. 63, 65, 102 (ChLA 16, no. 619), 110, 138, 148, 196 (ChLA 90, nos. 1 and 2, which are both contemporary copies), 197 (ChLA 88, no. 28), 204, 211, 216. Of course, we know of other cases in which the king was involved, such as the famous trial of Tassilo, but these are the rare cases where we have actual court records, not just allusions or a narrative description; see also my "Charlemagne's Settlement of Disputes." For a guide to dispute settlement records generally see Hübner, "Gerichtsurkunden der fränkischen Zeit. I. Abtheilung"; Hübner, "Gerichtsurkunden der fränkischen Zeit. II. Abtheilung," both now reprinted as *Gerichtsurkunden der fränkischen Zeit*; also still of use, especially in identifying records that do not exist as *placita*: Barchewitz, *Das Königsgericht*, pp. 55–8, 64–71; synods: The fourteen synods held during the king's reign are edited in *Conc. II*, and discussed in [Chapter 5](#), especially pp. 246–7; protection of the poor: *Capit. I*, no. 33, c. 1, pp. 91–2; *Capit. I*, no. 44, c. 2, p. 122; *Capit. I*, no. 59, c. 1, p. 146; *Capit. I*, no. 64, c. 20, p. 154; *Capit. I*, no. 68, c. 1, p. 157; *Capit. I*, no. 77, c. 2, p. 171; *Capit. I*, no. 85, c. 2, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 100–1); *Capit. I*, no. 90, c. 1, p. 190; *Caroli Magni capitulare ecclesiasticum*, c. 41 (ed. Mordek, *Bibliotheca*, p. 989). There is a good survey of Charlemagne's judicial activities in: Ganshof, *Frankish Institutions*, pp. 71–86.

⁷ Only the following capitularies do *not* contain some reference to judicial matters: *Capit. I*, no. 21, p. 52 (also ed. Mordek, "Karls des Großen zweites Kapitular," pp. 50–2); *Capit. I*, no. 29, p. 79 (also ed. T. Martin, "Bemerkungen zur 'Epistola de litteris colendis'," pp. 231–5); *Capit. I*, no. 30, pp. 80–1; *Capit. I*, no. 117, p. 235 (also edited as a Bavarian episcopal capitulary, *Capitula Frisingensia prima: CEP*, vol. 3, pp. 204–5, and see further discussion in [Chapter 4](#), pp. 211–12); *Capit. I*, no. 124, pp. 245–6; *Capit. I*, no. 128, pp. 250–56: *Brevium exempla ad describendas res ecclesiasticas et fiscales* (also ed. *CdV*, pp. 49–55); *Karoli regis capitula ad Arnonem archiepiscopum Salisburgensem directa* (ed. Mordek, *Bibliotheca*, pp. 974–5; also ed. *Conc. II*, pp. 213–14, and preserved as part of a council led by Arn, discussed on pp. 243–4, 251–3, 256–9); and the king's circular letter on baptism: Keefe, *Water and the Word*, vol. 2, pp. 261–3, and discussion in *Water and the Word*, passim, and Keefe, "An Unknown Response." One could dispute whether the letters of command (nos. 29, 30, 124, the letter to Arn, and the letter on baptism) and the texts also edited as an episcopal capitulary (nos. 117) are capitularies, but the point should be clear that most royal laws contain chapters related to justice.

⁸ Judicial procedure: *Capit. I*, no. 62, c. 28 and c. 29, p. 151; perjury: *Capit. I*, no. 52, c. 4, p. 139; court sessions: *Capit. I*, no. 67, c. 2, p. 156; salvation: *Capit. I*, no. 33, c. 14, p. 94 (this chapter is re-edited in Mordek, "Quod si se non emendat, excommunicatur," p. 180).

how Charlemagne and his advisers envisioned justice being performed in the Carolingian empire.

At the simplest level, this seems an easy question. There were three main judicial officials in the Carolingian world, namely, the count, bishop, and *missus*.⁹ We have already encountered these agents in the Introduction in their roles as the primary administrators of the Carolingian empire. In judicial terms, these three agents each had assigned tasks too.¹⁰ The count was responsible for basic law and order, including maintaining jails, controlling bandits, and knowing the law.¹¹ The *missus* supervised judicial matters, as he did other activities.¹² The bishop judged clerics and provided the spiritual penance necessary for any committed crimes.¹³ This all seems clear enough, but as soon as one looks deeper, problems start to emerge.

We can begin with overlaps in the roles assigned to counts and to *missi*. One of the things the *missi* oversaw on their circuits was the count's performance of judicial duties.¹⁴ If this meant serving as a court of appeal or just checking up on verdicts rendered and procedures followed, we might be able to safely conclude that the *missi* were the apex of the judicial hierarchy, meant to supervise counts.¹⁵ While the legislation clearly assigns a degree of judicial superiority to the *missi*, any simple assertion of a hierarchy of justice is misleading. First of all, the *missus* also held his own courts, sometimes with the count, sometimes alone.¹⁶ Certain cases could only be tried before a count or a *missus*, rather than a local judicial official.¹⁷ But in such a case, whose

⁹ Nelson, "Kingship and Royal Government," pp. 410–14; K.F. Werner, "*Missus-marchio-comes*," pp. 191–7 (pp. 108–14 in the reprint).

¹⁰ There is an overview in Ganshof, *Frankish Institutions*, pp. 73–86.

¹¹ Law and order: Nelson, "Kingship and Royal Government," p. 411; maintaining jails: *Capit. I*, no. 77, c. 11, p. 171; bandits: *Capit. I*, no. 61, c. 4, p. 148; knowing the law: *Capit. I*, no. 57, c. 4, p. 144.

¹² Examples of judicial supervision expected or performed by the *missi* include: *Capit. I*, no. 34, c. 19, p. 101 (also ed. Eckhardt, "Die Capitularia missorum specialia," p. 504), and repeated in *Capit. I*, no. 35, c. 59, p. 104; see also *Capit. I*, no. 20, c. 21, p. 51 and *Capit. I*, no. 85, c. 2, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 100–1).

¹³ Judging clerics: *Capit. I*, no. 22, c. 28, p. 56 (also ed. AG, c. 28, p. 196); spiritual penance: *Capit. I*, no. 28, c. 39, p. 77.

¹⁴ For example, *Capit. I*, no. 80, c. 12, p. 177.

¹⁵ Court of appeal: *Capit. I*, no. 35, c. 59, p. 104; checking up on procedure: *Capit. I*, no. 85, c. 2, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 100–1).

¹⁶ Court held by *missi* and counts: *Capit. I*, no. 69, c. 6, p. 159; *missi* alone: *Capit. I*, no. 34, c. 19, p. 101 (also ed. Eckhardt, "Die Capitularia missorum specialia," p. 504), and discussion in Ganshof, *Frankish Institutions*, pp. 81–2.

¹⁷ Sentencing a free man to death: *Capit. I*, no. 80, c. 4, p. 176. Another example is cases about property or liberty; *Capit. I*, no. 64, c. 3, p. 153. See also Le Jan, "Justice royale," pp. 61, 73–4.

jurisdiction applied?¹⁸ The only attempts to regulate the holding of missatrical and comital courts suggest some effort at alternation, but the legislation is unclear and we do not have enough evidence to see if this was carried out. Only one of the many capitularies that emerged from Charlemagne's court suggests a schedule for alternating comital and missatrical *placita*, and there is no evidence with which to assess how often *placita* in fact took place.¹⁹ Furthermore, the capitularies continually order counts and *missi* to cooperate.²⁰ But they make no provision for disagreement.²¹ The capitularies envisage both counts and *missi* giving justice together, and the *missi* overseeing the comital giving of justice.²² The combination of supervision and cooperation would suggest that *missi* both report back on the counts and work with them, with both kinds of agents potentially responsible for hearing some of the same kinds of cases.²³

¹⁸ Compare Ganshof, *Frankish Institutions*, p. 82, who thinks overlap between missatrical and comital courts is a reflection of the 802 reforms, but who similarly notes the limited efforts to sort out responsibility.

¹⁹ *Capit. I*, no. 80, c. 8, p. 177: "Volumus ut propter iustitias quae usque modo de parte comitum remanserunt quatuor tantum mensibus in anno missi nostri legationes suas exerceant, in hieme Ianuario, in verno Aprili, in aestate Iulio, in autumnio Octobrio. Ceteris vero mensibus unusquisque comitum placitum suum habeat et iustitias faciat. Missi autem nostri quater in uno mense et quatuor locis habeant placita sua cum illis comitibus, quibus congruum fuerit ut ad eum locum possint convenire." Note that the joint *placita* are considered to be missatrical *placita*. The actual frequency of court sessions is less obvious in reality; see Estey, "The *Scabini*," p. 120, although the structuring of the schedule around the *missi* is evident; see also c. 12 of the same capitulary; *Capit. I*, no. 80, c. 12, p. 177: "Ut unusquisque missorum nostrorum in placito suo notum faciat comitibus qui ad eius missaticum pertinent, ut in illis mensibus quibus ille legationem suam non exercet convenient inter se et communia placita faciant, tam ad latrones distringendos quam ad ceteras iustitias faciendas." See also comments of Ganshof, *Frankish Institutions*, p. 82. Louis the Pious made some efforts to regulate this alternation (*Capit. I*, no. 141, c. 25, p. 291), but we do not have similar evidence for Charlemagne's reign and we cannot simply assume the same arrangements applied.

²⁰ For instance: *Capit. I*, no. 22, c. 62, p. 58 (also ed. *AG*, c. 61, pp. 210–12); *Capit. I*, no. 34, c. 18a, p. 101 (also ed. Eckhardt, "Die Capitularia missorum specialia," p. 503); *Capit. I*, no. 35, c. 31, p. 103; *Capit. I*, no. 62, c. 4, p. 150; *Capit. I*, no. 78, c. 9, p. 174.

²¹ The closest the capitularies come to giving a sense of regulating judicial precedence is in the suggestion that counts might be summoned to an episcopal hearing (*Capit. I*, no. 28, c. 6, pp. 74–5; quoted and discussed on pp. 56–7), or the basic precedence assigned to the *missi*.

²² Justice together: *Capit. I*, no. 80, c. 8, p. 177 quoted earlier in [Note 19](#). However, counts cannot claim that the *missi* will come and they will give justice together as an excuse for delaying cases they should solve themselves: *Capit. I*, no. 85, c. 5, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, p. 101; citation is from the MGH edition): "Deinde observate etiam valde, ne aut vos ipsi aut aliquis, quantum vos praevidere potestis, in vestro ministerio in hoc malo ingenio deprehensus fiat, ut dicatis: 'tacete, donec illi missi transeant, et postea faciamus nobis invicem iustitias!' et per illam occasionem ipsae iustitiae aut remaneant aut certe tarde fiant; sed magis certe, ut ante factae fiant quam nos veniamus ad vos." See further [Note 12](#) on missatrical supervision.

²³ *Missi* reporting on counts: *Capit. I*, no. 35, c. 59, p. 104: "Ut missi nostri, undecunque necesse fuerit, tam de iustitiis ecclesiarum Dei, viduarum, orphanorum, pupillorum et

The distinguishing of judicial responsibilities between counts and *missi* is incomplete; a situation evident, for instance, in a capitulary regulation which ascribes the choice of witnesses in a court case to both counts and *missi*, with no attention to precedence or what would happen if there was a disagreement.²⁴ This situation was exacerbated by the existence of many other kinds of judicial officials in the Carolingian world.²⁵ One of Charlemagne's judicial reforms introduced *scabini*, who served as a kind of grand jury and represented the judicial wisdom of the area.²⁶ These officials were seemingly required to serve both count and *missus*.²⁷ Again, how this dual role was meant to play out is unclear.²⁸ Furthermore, the capitularies give both counts and *missi* some degree of authority over the *scabini*, but make no effort to regulate this shared responsibility, other than general requests for harmony among royal agents.²⁹ *Scabini* themselves also gave judgment, making matters even more complicated.³⁰ Some of the same commands about giving justice

caeterorum hominum inquirant et perficiant. Et quodcunque ad emendandum inuenerint, emendare studeant in quantum melius potuerint; et quod per se emendare nequiverint, in praesentiam nostram adduci faciant"; *missi* working with counts: *Caroli Magni capitulare generale*, c. 3 (ed. Mordek, *Bibliotheca*, p. 990): "Ut omnes omnino populi missis nostris, comitibus atque iudicibus obedientes sint et consentientes ad iusticiam faciendam et ut iusticia in omnibus et per omnia viam planam habeat et apertam." See also Ganshof, *Frankish Institutions*, p. 82.

²⁴ *Capit. I*, no. 80, c. 3, p. 176: "Ut quodcumque testes ad rem quamlibet discutiendam quaerendi atque eligendi sunt, a misso nostro et comite in cuius ministerio de rebus qualibuscumque agendum est tales eligantur, quales optimi in ipso pago inveniri possunt. Et non liceat litigatores per praemia falsos testes adducere, sicut actenus fieri solebat." For more on the choice of witnesses, see discussion of the inquest in Chapter 5.

²⁵ Ganshof, *Frankish Institutions*, pp. 74–81; K.F. Werner, "Missus-marchio-comes," pp. 225–7 (pp. 142–4 in the reprint).

²⁶ Ganshof, "The Impact of Charlemagne," pp. 55–60 (pp. 149–51 in the reprint); Ganshof, *Frankish Institutions*, pp. 76–8. For a discussion of the *scabini* setting them into the context of the long term development of Frankish justice, see Weitzel, *Dinggenossenschaft und Recht*, pp. 884–910. There is debate in the literature about how to distinguish *scabini* from *rachimburgi* (older Frankish judicial agents) about how quickly the office spread, and about how truly innovative it was. These problems cannot be adequately addressed here, and our point is simply that *scabini* too participate in the overlapping of roles characteristic of Carolingian justice. However, the office is due a reconsideration. Despite its age, I find Ganshof's account most compelling, and agree with him that *scabini* constitute a significant innovation in Carolingian judicial practice.

²⁷ Ganshof, *Frankish Institutions*, pp. 77–8.

²⁸ Particularly as seven *scabini* are required to be present at all court sessions; *Capit. I*, no. 40, c. 20, p. 116.

²⁹ Counts controlling *scabini*: *Capit. I*, no. 86, c. 1, p. 185; *missi* controlling *scabini*: *Capit. I*, no. 40, c. 3, p. 115.

³⁰ *Capit. I*, no. 39, c. 10, p. 114: "Si quis causam iudicatam repetere in mallo praesumerit ibique testibus convictus fuerit, aut quindecim solidos componat, aut quindecim ictus ab scabinis qui causam prius iudicaverunt accipiat." See also *Capit. I*, no. 58, c. 7, p. 145; *Capit. I*, no. 61, c. 2, p. 148.

thus apply to the *scabini*, as well as to the counts and *missi* who supervise them.³¹ Then there are the *centenarii* and *iudices*.³² The *centenarius* was a sort of vice-count, who aided the counts in the general performance of their duties, judicial and otherwise.³³ *Iudices* were more confined to aiding in the hearing of cases, at least in Francia, but like *centenarii*, they helped the count in his judicial duties and could preside over courts themselves in some matters.³⁴ How does one distinguish the judicial functions of *iudices* and *centenarii*? The basic difference in overall responsibility is evident, but the judicial distinction, if there was one, is not.³⁵ This is only compounded by the fact that *iudices* may have served the same function as *scabini*, at least in some areas, evidence of the geographical variation typical of Carolingian administration.³⁶

Moreover, the judicial system included even more agents who could potentially be involved in the judicial process, namely, *vicarii* and *advocati*.³⁷ The latter had rather clearer duties in that they were supposed to argue in place of ecclesiastics in court to save churchmen from besmirching themselves with secular business, although that was not their only function.³⁸ Of course, sometimes ecclesiastics argued for themselves, despite prohibitions on this, and other times ecclesiastics came to court with their advocates, presumably to fulfill the requirement to absent themselves from secular justice and yet still oversee their own

³¹ *Capit.* I, no. 61, c. 7, p. 149: "Ut nullus quislibet missus noster neque comes neque iudex neque scabineus cuiuslibet iustitiam dilatare praesumat, si statim adimpleta poterit esse secundum rectitudinem; neque praemia pro hoc a quolibet homine per aliquod ingenium accipere praesumat."

³² On *centenarii*: H. Brunner, *Deutsche Rechtsgeschichte*, vol. 2, pp. 235–41; on *iudices*: Ganshof, *Frankish Institutions*, pp. 77–9.

³³ Judicial duties: *Capit.* I, no. 104, c. 4, p. 214; other duties: *Capit.* I, no. 33, c. 28, p. 96. *Centenarii* should not, however, run courts without supervision, as is required in *Caroli Magni capitulare generale*, c. 20 (ed. Mordek, *Bibliotheca*, p. 992): "Deinde precipimus, ut centenarii comitum per se sine comitibus vel missis nostris nulla placita habere praesumant."

³⁴ Aiding the count: *Caroli Magni capitulare ecclesiasticum*, c. 41 (ed. Mordek, *Bibliotheca*, p. 989); presiding in court: *Capit.* I, no. 33, c. 26, p. 96. A *iudex* can also be a financial official, such as the estate managers in the *Capitulare de villis*: *Capit.* I, no. 32, pp. 83–91 (also ed. *CdV*, pp. 56–63).

³⁵ Ganshof, *Frankish Institutions*, p. 77. In general, there are sometimes regional differences between the roles played by lesser officials in different parts of the Carolingian world, which further complicates the problems mentioned here. However, these issues often stem from efforts to introduce Carolingian custom into conquered regions, and thus are not manifestations of the tendency toward overlapping at issue in this discussion, although these cases can indeed involve overlapping as well. On the terminology for those involved in justice in Italy, for example, see Bougard, *La justice*, part 2, chapter 2.

³⁶ See further Note 165. ³⁷ Ganshof, *Frankish Institutions*, pp. 32–3, 48–50.

³⁸ For example, *Capit.* I, no. 77, c. 14, p. 172: "Ut episcopi et abbates advocatos habeant, et ipsi habeant in illo comitatu propriam hereditatem; et ut ipsi recti et boni sint et habeant voluntatem recte et iuste causas perficere."

concerns.³⁹ *Vicarii* were similarly lower level helpers, but as with other officials, the precise outlines of their duties are not clear.⁴⁰ These lower level judicial agents then introduce several more layers of complexity into the apportioning of judicial roles.⁴¹ The capitularies sometimes assign them indistinct roles, with overlaps between what judicial duty is assigned to which kind of subordinate agent.⁴² And these agents were subject to supervision by both the counts and the *missi* at the same time.⁴³ The basic point that all these agents should cooperate is evident, but this does not diminish the unclear lines among the judicial activities the capitularies assigned to royal agents.⁴⁴

The bishop then introduces yet another problem. When it came to bishops and secular life, the Carolingian dynasty was caught between two mutually exclusive goals. The Carolingians were very worried about bishops being compromised by the stain of secular life and thus sought to limit their participation in secular matters.⁴⁵ Yet, bishops were

³⁹ Ecclesiastics should use advocates: *Capit.* I, no. 33, c. 13, p. 93; ecclesiastics arguing for themselves: TF no. 232, pp. 214–5; ecclesiastics coming to court with their advocate: TF 240, p. 220. Bad advocates could, however, undermine the goal of removing the clergy from the stain of secular business: *Capit.* I, no. 72, c. 6, p. 163. On the development of this particularly Carolingian office, see now the excellent overview in C. West, “The Significance of the Carolingian Advocate.”

⁴⁰ *Capit.* I, no. 102, c. 14, p. 210: “Ut ante vicarios nulla criminalis actio diffiniatur, nisi tantum leviores causas quae facile possunt diiudicari; et nullus in eorum iudicio aliquis in servitio hominem conquirat, sed per fidem remittantur usque in praesentiam comitis. Et ingenuos homines nulla placita faciant custodire, postquam illa tria custodiant placita quae instituta sunt, nisi forte contingat, ut aliquis aliquem accuset; excepto illos scabinos qui cum iudicibus resedere debent”; *Capit.* I, no. 57, c. 4, p. 144. And indeed in many ways vicars are indistinguishable from *centenarii*; see Ganshof, *Frankish Institutions*, pp. 32–3.

⁴¹ Evident, for example, in the assumption that *scabini* would serve at all courts, including those run by vicars; *Capit.* I, no. 102, c. 14, p. 210, as cited in Note 40.

⁴² *Capit.* I, no. 60, c. 3, p. 147; *Capit.* I, no. 64, c. 3, p. 153: In this situation, involving cases which were not solvable by vicars or *centenarii*, who seemingly had the same judicial competence, at least here.

⁴³ Comital supervision: *Capit.* I, no. 102, c. 11, p. 210: “Volumus, ut advocati in presentia comitis eligantur, non habentes malam famam, sed tales eligantur quales lex iubet eligere.” The *missi* were responsible for evaluating and, when necessary, replacing such agents: “Ut iudices, advocati, praepositi, centenarii, scabinii, quales meliores inveniri possunt et Deum timentes, constituentur ad sua ministeria exercenda”; *Capit.* I, no. 61, c. 11, p. 149; see also *Capit.* I, no. 44, c. 12, p. 124. In practice, the *missi* might have cooperated with the counts in the choosing and disciplining of such officials; Estey, “The *Scabini*,” p. 122. The count together with the people should choose the agents employed by the counts themselves (*Capit.* I, no. 62, c. 22, p. 151); the mechanism by which counts and people chose the agents and then the *missi* evaluated said agents is again unclear, and structured only by the expectation of cooperation.

⁴⁴ Cooperation: *Capit.* I, no. 35, c. 31, p. 103. All these judicial agents are also sometimes treated the same way: *Capit.* I, no. 61, c. 11, p. 149.

⁴⁵ For example, on keeping clerics (of all kinds) and ecclesiastical places separate from secular life: *Capit.* I, no. 22, c. 23, p. 55, c. 31, p. 56, c. 73, p. 60 (also ed. *AG*, c. 23,

absolutely essential to the Carolingian system, so the desire to free them from secular corruption and the dependence on them for administrative purposes coexisted in uneasy tension, a situation that Charlemagne's successors left unresolved.⁴⁶ In addition to this concern about the proper sphere of episcopal action, bishops similarly had shared judicial tasks with counts and *missi*.⁴⁷ The bishop played a role in judging secular figures, particularly when it came to protecting the poor and weak, and thus overlapped already with the competence of counts and *missi*.⁴⁸ Bishops were meant to handle cases involving clerics, but this too presents problems.⁴⁹ First of all, the frequent reference to this command raises the possibility that some clerics preferred secular justice and/or that some counts wanted to stand in judgment on them.⁵⁰ Second, and more

p. 194, c. 31, p. 198, c. 71, pp. 224–6); *Capit. I*, no. 23, c. 16, p. 63, c. 30, p. 64; *Capit. I*, no. 28, c. 11, p. 75; *Capit. I*, no. 33, c. 1, pp. 91–2, c. 17, pp. 94–5, c. 23, p. 96; *Capit. I*, no. 35, c. 9, p. 102, c. 36, p. 103; *Capit. I*, no. 37, c. 1, p. 108; *Capit. I*, no. 38, c. 17, p. 111; *Capit. I*, no. 71, c. 5, p. 161; *Capit. I*, no. 72, c. 2, p. 162, chapters 4, 5, and 6, p. 163; *Capit. I*, no. 83, c. 8, p. 182; *Capit. I*, no. 84, c. 11, p. 182; *Capit. I*, no. 91, c. 2, p. 191; *Capit. I*, no. 93, c. 1 and c. 4, p. 196; *Capit. I*, no. 121, p. 240, line 12. Also useful is Prinz's classic work on the involvement of clerics in military affairs, explaining the gap between ideal and reality largely in terms of the particular roles played by the higher clergy: Prinz, *Klerus und Krieg*.

⁴⁶ Role of bishops in the administrative system: K.F. Werner, "Missus-marchio-comes," pp. 197–204 (pp. 114–21 in the reprint); tension in the treatment of clerics: *Capit. I*, no. 102, c. 3, p. 209: "Ut abbates qui canonicam debent normam illis similiter suis provideant clericis, sicut ordo canonicus docet, et iuxta vires certent, qualiter ipse ordo ibidem servetur et officium debitum ipsi explere queant; et ubi opus est, sua monasteria emendare procurent. Et ut abbates monasteria sibi commissa magis frequentare delectent et suos clericos instruant, ut Dei servitium expleant et ordinem suum custodiant, quam per cetera delectamenta voluntatum saecularium vacare non sinant, nisi forte contingat eos in servitio domni imperatoris nostrumque esse occupatos: et hoc ad tempus erit, non semper." For a similar expression of concern about secular and ecclesiastical roles in Carolingian society under Louis the Pious, see *Capit. I*, no. 137, pp. 273–5. See also de Jong, "Ecclesia and the Early Medieval Polity," pp. 131–2. On greater attention to these issues toward the end of Charlemagne's reign, see Patzold, *Episcopus*, pp. 75–8. On the characteristic tensions of Charlemagne's reign, see Nelson, "Charlemagne and the Bishops."

⁴⁷ See also K.F. Werner, "Missus-marchio-comes," pp. 201–2 (pp. 118–19 in the reprint).

⁴⁸ For example, *Capit. I*, no. 78, c. 22, p. 174: "Ut comites vel vicarii seu iudices aut centenarii sub mala occasione vel ingenio res pauperum non emant nec vi tollant; sed quisque hoc comparare voluerit, in publico placito coram episcopo fiat." See also *Caroli Magni capitulare generale*, c. 34 (ed. Mordek, *Bibliotheca*, p. 994). Moreover, the bishops must work in concert with the *missi* to oversee religious life; for example, *Capit. I*, no. 84, c. 10, p. 183: "Providendum est episcopis in eorum parochiis una cum misso domni regis, qualiter vivant canonici seu regulares seu sanctemuniales."

⁴⁹ For example, *Capit. I*, no. 22, c. 28 and c. 38, p. 56 (also ed. *AG*, c. 28, p. 196 and c. 38, p. 200).

⁵⁰ *Capit. I*, no. 35, c. 13, p. 102, and c. 17, p. 103; *Caroli Magni capitulare ecclesiasticum*, c. 31 (ed. Mordek, *Bibliotheca*, p. 988). Moreover, cases involving clerics and laymen regularly ended up in a "secular" court: Nelson, "Dispute Settlement," p. 55 (p. 61 in the reprint). I would like to thank Chris Wickham for reminding me that the impetus to

obvious in the sources, was the strongly asserted royal right to intervene in cases that should have begun in an ecclesiastical setting.⁵¹ Moreover, cases involving bishops themselves could be settled by the king, as indeed could any case involving the powerful.⁵² Many bishops served as *missi*, which further implicated them in secular justice and gave them a supervisory role in dealing with justice.⁵³ The general expectation of capitulary legislation is that bishops and counts and *missi* should all cooperate, but there is no effort to define precisely the shared judicial responsibilities handed out to royal agents.⁵⁴

Attention to a particular capitulary regulation on jurisdiction illuminates the overlapping of judicial roles and the lack of clarity on the precise processes meant to assure harmonious cooperation in giving justice. One chapter promulgated at the Synod of Frankfurt in 794 reads as follows:

It was decided by the lord king and the holy synod that bishops should do justice in their dioceses (*in suis parrochiis*). If someone among the abbots, priests, deacons, subdeacons, monks and other clerics or also others in his diocese does not obey his bishop, they should come to his metropolitan, and he [the metropolitan] should judge the case with his suffragans. Indeed our counts should come to the judgment of bishops (*veniant ad iudicium episcoporum*). And if there is anything which the metropolitan bishop is not able to correct or pacify,

have episcopal cases settled in secular courts could also come from the lay judges and not just the clerics concerned.

⁵¹ *Capit.* I, no. 28, c. 6, pp. 74–5, and see discussion of this passage in this Chapter. The problems associated with this approach to handling cases is also clear in the later reception of capitularies in canon law. One such canon law manuscript emends the end of a capitulary chapter to change it from the original's claim that an unresolved ecclesiastical case should come to the king, to a new provision providing for episcopal excommunication. For the manuscript change, see Mordek, "Quod si se non emendent, excommunicentur," pp. 180–2.

⁵² King solving cases involving bishops: *Capit.* I, no. 58, c. 5, p. 145; king solving cases involving the powerful: *Capit.* I, no. 80, c. 2, p. 176: "Ut episcopi, abbates, comites et potentiores quique, si causam inter se habuerint ac se pacificare noluerint, ad nostram iubeantur venire praesentiam, neque illorum contentio aliubi diiudicetur neque propter hoc pauperum et minus potentium iustitiae remaneant. Neque comes palatii nostri potentiores causas sine nostra iussione finire praesumat, sed tantum ad pauperum et minus potentium iustitias faciendas sibi sciat esse vacandum."

⁵³ K.F. Werner, "*Missus-marchio-comes*," pp. 197–8 (pp. 114–15 in the reprint). At least after the 802 reforms, the *missi* were (supposedly) usually sent out as a team of layman and cleric; Ganshof, *Frankish Institutions*, pp. 25–6.

⁵⁴ For example, in this case on cooperation of counts and bishops: *Capit.* I, no. 102, c. 5, pp. 209–10: "Volumus ut episcopi et comites concordiam et dilectionem inter se habeant ad Dei et sanctae ecclesiae protractatum peragendum, ut episcopus suo comiti, ubi ei necessitas poposcit, adiutor et exortator existat, qualiter suum ministerium explere possit; similiter et comis faciat contra suam episcopum, ut in omnibus illi adiutor sit, qualiter infra suam parrochiam canonicum possit adimplere ministerium."

then the accusers together with the accused should come [to us] with letters from the metropolitan, so that we should know the truth of the matter.⁵⁵

This passage is interesting not just for the clear emphasis on episcopal justice, which was a major concern of Charlemagne's court from the 789 issuance of the *Admonitio generalis* (the capitulary which set out the essentials of the Carolingian reform program),⁵⁶ as well as a concern of the episcopal hierarchy itself. The passage is also important for the reference to counts attending episcopal courts. What were they to do there? Aid the bishops? Participate in justice? Enforce punishments? The phrase "*veniant ad iudicium episcoporum*" may imply that counts were subject to an episcopal summons, if not fully to episcopal jurisdiction, but the passage remains vague on exactly how counts fit into the framework of episcopal justice. What is clear is the preference for ecclesiastical cases to begin in an ecclesiastical context, the desire for some kind of secular cooperation with episcopal justice, and the insistence on an ultimate royal right to intervene. But how these sometimes competing priorities should be combined, other than the ultimate royal claim to jurisdiction, is unexplained. The placement of this regulation in the decrees of the Synod of Frankfurt is telling, however, as the synod provided the occasion for Charlemagne's readmittance of Bishop Peter of Verdun to his office after his removal following his involvement in the revolt of Pippin the Hunchback in 792.⁵⁷ The regulation on judicial responsibility thus sits next to a demonstration of royal intervention in practice.

We have only a few further hints here and there in the capitularies about an order of judicial precedence, such as the requirement that "Bishops should stand with counts and counts with bishops, so that each is able to fully carry out their ministry/office (*ministerium*)."⁵⁸ This is a nice idea, but how this "standing together" was meant to work

⁵⁵ *Capit.* I, no. 28, c. 6, pp. 74–5: "Statutum est a domno rege et sancta synodo, ut episcopi iustitias faciant in suis parrochiis. Si non oboedierit aliqua persona episcopo suo de abbatibus, presbiteris, diaconibus, subdiaconibus, monachis et caeteris clericis vel etiam aliis in eius parrochia, veniant ad metropolitanum suum, et ille diiudicet causam cum suffraganeis suis. Comites quoque nostri veniant ad iudicium episcoporum. Et si aliquid est quod episcopus metropolitanus non possit corrigere vel pacificare, tunc tandem veniant accusatores cum accusatu cum litteris metropolitano, ut sciamus veritatem rei."

⁵⁶ McKitterick, *The Frankish Church*, pp. 1–12.

⁵⁷ *Capit.* I, no. 28, c. 9, p. 75. For further discussion of Bishop Peter of Verdun, see Chapter 3, p. 151. The Synod also addressed other issues of episcopal justice, as in c. 8, p. 75.

⁵⁸ *Capit.* I, no. 69, c. 4, p. 158. Other hints of an order of precedence are reflected in a focus on Christianity for the clergy and justice generally for the laity, but even here there is little sense of hard and fast lines: *Caroli Magni capitulare generale*, c. 2 (ed. Mordek, *Bibliotheca*, p. 990): "Ut comites et iudices omnesque populi obediētes sint episcopis suis ad

remains obscure.⁵⁹ The capitularies tell counts and bishops to cooperate in judging cases involving both clerics and laymen,⁶⁰ but make no provision for what should happen if these officials disagreed. A capitulary that announces that everyone, including counts and judges, should support the bishop and consent to justice offers some sense of precedence, but still provides little specific direction for practical implementation of royal legislation.⁶¹ The basic situation in royal law then is that judicial roles are shared among the count, bishop, and *missus*.⁶² While each type of agent had their own responsibilities, many of these responsibilities were not fully distinguished from those assigned to other agents, even leaving aside the frequent overlaps caused by counts and bishops serving as *missi* in their home regions.⁶³ Lower level judicial agents similarly had specific emphases in the roles assigned to them, but these roles also overlap and royal law made no effort to sort out the attendant problems.⁶⁴ The legislation consistently directed royal agents to do tasks that overlap with tasks assigned to other agents.⁶⁵ The details of who should do what when are not

christianitatem suam et ad sanam doctrinam ad omnemque iusticiam, sicut christianis decet; et episcopi et clerici omnes comitibus sint consentientes ad iusticiam.”

⁵⁹ Particularly since not all royal agents were actually interested in cooperating; see, for example, *Capit. I*, no. 58, c. 5, p. 145, addressed to a *missus*: “In quinto autem capitulo referebatur de episcopis, abbatibus vel ceteris nostris hominibus qui ad placitum vestrum venire contempserint. Illos vero per bannum nostrum ad placitum vestrum bannire faciatis; et qui tunc venire contempserint, eorum nomina annotata ad placitum nostrum generale nobis repraesentent.”

⁶⁰ For example, *Capit. I*, no. 28, c. 30, p. 77: “De clericis ad invicem altercantibus aut contra episcopum suum agentibus, sicut canones docent, ita omnimodis peragant. Et si forte inter clericum et laicum fuerit orta altercatio, episcopus et comes simul conveniant et unanimiter inter eos causam diffiniant secundum rectitudinem.”

⁶¹ *Capit. I*, no. 78, c. 10, p. 174: “Ut comites et iudices seu reliquus populus oboedientes sint episcopo et invicem consentient ad iustitias faciendas et munera pro iudicia non accipiant nec falsos testes.” Note too that this chapter immediately follows one mandating concord and harmony. See also *Capit. I*, no. 28, c. 6, pp. 74–5 cited in [Note 55](#). Even given the dignity of the church and its role in protecting the poor, it is still unclear how much leeway bishops had to deal with recalcitrant agents; see, for example, *Capit. I*, no. 78, c. 22, p. 174, cited in [Note 48](#).

⁶² For example, *Capit. I*, no. 33, c. 14, p. 94 (re-edited in Mordek, “Quod si se non emendent, excommunicentur,” p. 180).

⁶³ For example, *Capit. I*, no. 90, c. 10, p. 191, differentiating counts and *missi* in dealing with bandits. Lack of differentiated roles: *Caroli Magni capitulare generale*, c. 17 (ed. Mordek, *Bibliotheca*, p. 992); *missi* in their home regions: Eckhardt, “Die Capitularia missorum specialia,” pp. 505–7, 509–14.

⁶⁴ Emphases in judicial roles: *Capit. I*, no. 77, c. 11, p. 171; lack of differentiation: *Capit. I*, no. 61, c. 7, p. 149.

⁶⁵ On the many kinds of judges and their responsibilities see Siems, “Bestechliche und ungerechte Richter,” pp. 511–12.

addressed.⁶⁶ The only effort to regulate this situation is the repeated pleas for harmony in giving justice, which the *missi* themselves must investigate.⁶⁷ This resulted in a judicial system predicated on overlapping tasks, incomplete differentiation of judicial roles, and a dependence on cooperation to smooth over any problems. Jürgen Hannig has also argued for a lack of differentiation between missatical roles and other offices, for “flexibility” and “inefficiency” in the conception of the office of the *missus*.⁶⁸ However, he does so in the course of an argument that the missatical role was primarily an add-on to other offices in the struggle for influence of local noble families and a co-opting of existing local power structures. My contention is not that different officials essentially did the same thing or that office was irrelevant, but that the conception of official roles involved shared functions. At issue here is a blurring of the lines between offices, not the lack of any such lines. The final factor in the judicial system shaped by Charlemagne and his men was the king’s insistence on his own right to intervene in essentially any situation he wanted, which meant that any problem if not resolved harmoniously should come to the king.⁶⁹

⁶⁶ Unless one of the agents abdicated his responsibilities, in which case other agents were supposed to pick up the slack. For example, *Capit.* I, no. 91, c. 2, p. 191: “Ut pontifices ordinent et disponent unusquisque suas ecclesias canonico ordine, et sacerdotes suos vel clericos constringant canonice vivendo ordine. Et si quis pontifex clericos suos canonice ordine distringere noluerit ad secularem pertraxerit habitum, quod canones clericos facere prohibent, comis qui in loco fuerit ordinatus distringat illos in omnibus ad suam partem sicut et alios exercitales.”

⁶⁷ For example, *Capit.* I, no. 104, c. 5, p. 214: “Scire debent missi dominici, qualiter episcopus atque comes inter se habent conversationem et quomodo sunt consentientes legem atque iustitiam vel pacem; et quomodo habent fideles atque diligentes legem vel iustitiam vicedominos, advocatos, centenarios atque praecones, ut omnes homines qui per ministeria eorum commanere videntur et qualem pacem habent inter se.”

⁶⁸ Hannig, “Zentrale Kontrolle,” p. 36; Hannig, “Zur Funktion der ‘missi dominici’,” pp. 271–2, 275–7, 298–9 (especially the last pages here for his language of flexibility and elasticity). And see further discussion on pp. 80–5.

⁶⁹ Including: *Capit.* I, no. 20, c. 22, p. 51; *Capit.* I, no. 25, c. 4, p. 67; *Capit.* I, no. 27, c. 4, pp. 71–2; *Capit.* I, no. 28, c. 6, pp. 74–5, c. 47, p. 77; *Capit.* I, no. 32, c. 67, p. 89 (also ed. *CdV*, p. 62); *Capit.* I, no. 33, chapters 31–4, p. 97, c. 37 and c. 39, p. 98; *Capit.* I, no. 34, c. 19, p. 101 (also ed. Eckhardt, “Die Capitularia missorum specialia,” p. 504); *Capit.* I, no. 35, c. 59, p. 104; *Capit.* I, no. 40, c. 3 and c. 4, p. 115, c. 18, p. 116; *Capit.* I, no. 44, c. 8 and c. 12, pp. 123–4; *Capit.* I, no. 58, c. 5, p. 145; *Capit.* I, no. 60, c. 4, p. 147; *Capit.* I, no. 64, c. 12 and c. 13, p. 153; *Capit.* I, no. 66, c. 1 and c. 5, p. 155; *Capit.* I, no. 69, c. 7, p. 159; *Capit.* I, no. 77, c. 2 and c. 12, p. 171; *Capit.* I, no. 80, c. 2, p. 176, c. 10, p. 177; *Capit.* I, no. 94, c. 5 and c. 12, pp. 199–200; *Capit.* I, no. 97, p. 204, lines 2–3; *Capit.* I, no. 102, c. 1, p. 209. There are some limits on ability to appeal to the king, such as starting with the appropriate authority first; for example, *Caroli Magni capitulare ecclesiasticum*, c. 12 (ed. Mordek, *Bibliotheca*, p. 985): “Ut episcopi et ceteri clerici sine literis episcoporum provincie et precipue metropolitani adire palatium non audeant, et qui presumpserint, non solum a communione, verum ab honore abitiuntur, ut in canone Anthioceno dicit <ur> et Calcedonense.” Such a command however may well have been regularly ignored.

The royal emphasis on overlapping tasks and the avoidance of conflict via the ideal of harmony is especially noticeable because contemporary canon law does not echo this idea.⁷⁰ The main canon law collections of the era have much to say about clerical justice of course, but such legislation focuses on internal church matters rather than accommodations with the secular world.⁷¹ I will examine this issue through the example of the *Collectio Dacheriana*, which is the canon collection most

⁷⁰ And despite the strong religious overtones of this idea in royal law. For example, *Caroli Magni capitulare ecclesiasticum*, c. 2 (ed. Mordek, *Bibliotheca*, p. 983): "Ut pax et concordia sit et unanimitas in omni populo christiano, inter ecclesiasticos autem maxime, qui viam aliis ad regna cęlorum suis sanctis debent exemplis ostendere. Quomodo ergo alios in viam veritatis potest adducere qui per dissensionum atque discordiam seu etiam propter contentiones rerum secularium, quę velut fumus omnia evanesunt, et ad ęternam tendunt interitum? Talia ergo ne fiant in populo dei, dominus noster pacem et concordiam inter episcopos et abbates, comites et iudices, inter omnes ubique maiores et minores personas pręcepit observare, quia deo sine pace et concordia nichil placet nec omnino sanctę oblationis ad altare munus, quod ipse dominus ibi relinquere iussit et ire prius reconciliare fratri suo et ita munus placabile deo offerre, quia caritas, que est omnium virtutum <mater>, sine pace et concordia fieri non potest. Nemo ergo in hoc seculo patri familias quid placabile potest offerre, quamdiu eum, qui offert, viderit odisse filium suum et cum eo placatum non esse; ita nemo deo quid placabile sine caritate, quę in dei dilectione constat et proximi, valet offerre. Proinde etiam dominus in evangelio ait: 'Hęc mando vobis, ut diligatis invicem' et 'in hoc cognoscent omnes, quia mei discipuli estis, si dilectionem invicem habueritis', et alibi: 'Beati pacifici, quoniam filii dei vocabuntur'. Filii autem diaboli esse intelliguntur, qui in discordia et dissensione permanent. Filii autem dei in pace semper et concordia vivunt et ita in ęternum coram deo felices erunt."

⁷¹ The key texts in the Carolingian period were the *Collectio Dacheriana* and the *Collectio Dionysio-Hadriana*, on which see Fournier and Le Bras, *Histoire des collections canoniques*, vol. 1, pp. 95–107. Also still in frequent use were the *Vetus Gallica* and the *Hispana*. See R.E. Reynolds, "The Organisation, Law and Liturgy," pp. 613–16; Kéry, *Canonical Collections*, pp. 13–20 and 87–92. There are good general surveys of early medieval collections in: Mordek, *Kirchenrecht und Reform*, pp. 1–17 and McKitterick, "Knowledge of Canon Law." On the extensive manuscript transmission of both the *Dionysio-Hadriana* and the *Dacheriana* see Mordek, *Kirchenrecht und Reform*, pp. 241–9 and 259–63, and Kéry, *Canonical Collections*, pp. 13–20 and 87–92. The need for a new edition of the *Dacheriana* is made clear by Firey, "Ghostly Recensions." For further discussion of the edition and the manuscript transmission, see Le Bras, "Deux formes de la *Dacheriana*"; Le Bras, "Notes pour servir," pp. 518–24; Fournier, "Notice sur le manuscrit H. 137"; Gillmann, "Eine Würzburger *Dacheriana*"; Haenni, "La *Dacheriana* mérite-t-elle une réédition?"; Haenni, "Note sur la *Dacheriana*"; Maassen, *Geschichte der Quellen*, pp. 848–52; Perler, "Eine '*Dacheriana*'." Legislation on internal church matters includes: The importance of concord and its resolution within the church (*Collectio Dacheriana*, book 1, c. 109, p. 531; book 2, c. 31, p. 535); protecting the poor and weak (*Collectio Dacheriana*, book 1, c. 115, p. 531 and book 3, c. 129 and c. 132, p. 560); not hearing cases on the Sabbath (*Collectio Dacheriana*, book 2, c. 26, p. 535); not taking bribes for justice (*Collectio Dacheriana*, book 2, c. 27, p. 535); a prohibition of secret trials (*Collectio Dacheriana*, book 2, c. 28, p. 535); on the contempt of justice and spurning verdicts (*Collectio Dacheriana*, book 2, c. 30, p. 535, c. 40, p. 537); limitations on clerics giving testimony (*Collectio Dacheriana*, book 2, c. 37, p. 536); that clerics must finish their secular affairs before they are ordained (*Collectio Dacheriana*, book 3, c. 30, p. 550).

strictly contemporary to Charlemagne's capitularies and one of the most important collections from this period.⁷² This collection strove to define the law of the church, and served as the basis for most later ninth-century collections.⁷³ When this canon law collection does comment on ecclesiastical involvement in anything approximating royal justice, it unsurprisingly suggests a desire to minimize the involvement of the clerical hierarchy in matters of secular life.⁷⁴ The canon collection announces in various ways the idea that ecclesiastics should be distanced from the secular world, but it is less interested in dealing with occasions when such distance is impossible.⁷⁵ The royal grappling with the problem of using bishops without compromising them is largely a side issue in the legislation stemming from the church itself.⁷⁶ The canon collection does

⁷² See Kéry, *Canonical Collections*, p. 87. Of course, the *Dacheriana* builds on older canon law, but its near contemporaneity with the capitularies still makes it a useful comparison. I would like to thank Abigail Firey and Ken Pennington for their advice on the *Dacheriana*.

⁷³ Fournier and Le Bras, *Histoire des collections canoniques*, pp. 103–6. On the later history of the collection, see also Firey, “Carolingian Ecclesiology and Heresy”; Mordek, “Zur handschriftlichen Überlieferung”; Philipps, “Der codex Salisburgensis S. Petri IX. 32,” particularly pp. 445–60; Rambaud-Buhot, “Un corpus inédit”; Schmitz, “Die Überlieferung der sog. ‘Abbreviatio Ansegisi et Benedicti Levitae’.”

⁷⁴ Including the command for clerics to avoid secular justice, for instance in: *Collectio Dacheriana*, book 2, c. 14, p. 533, c. 35, p. 536, c. 42 and c. 46, p. 537; book 3, c. 53, p. 552.

⁷⁵ The collection tells bishops in general terms to avoid secular concerns (*Collectio Dacheriana*, book 3, c. 137, p. 561). A related chapter commands clerics to avoid dishonest and improper business (*Collectio Dacheriana*, book 3, c. 45, p. 552 and also book 3, c. 54, pp. 552–3 on not leaving their places to conduct business, book 3, c. 147, p. 562 on monks avoiding secular affairs, and book 3, c. 146, p. 562 on clerics involving themselves in secular affairs, especially unjust financial affairs). A chapter on transferring what is attached to a diocese implies that such cases should be settled within the church (*Collectio Dacheriana*, book 2, c. 65, p. 539). The collection further demands that bishops employ advocates (*Collectio Dacheriana*, book 2, c. 75, p. 541) and evinces concern about cases involving death (*Collectio Dacheriana*, book 3, c. 12, pp. 547–8). If a cleric must be involved in secular justice, his bishop should know about it (*Collectio Dacheriana*, book 2, c. 42, p. 537). Episcopal involvement in justice should, according to canon law, be strictly limited. Wilfried Hartmann has usefully summarized the contexts in which a bishop should serve as a judge, namely, as giver of penance, as promoter of peace, as judge for clerics in all matters, and as protector of the poor and weak. Hartmann focuses on an earlier period, but the schema works as well for the *Collectio Dacheriana*: W. Hartmann, “Der Bischof als Richter,” p. 807, see also p. 837.

⁷⁶ Although there is some discussion of the compromises demanded of churchmen: *Collectio Dacheriana*, book 2, c. 29, p. 535: “Saepe Principes contra quoslibet majestatis obnoxios Sacerdotibus negotia sua committunt; et quia Sacerdotes a Christo ad ministerium salutis electi sunt, ibi consentiant Regibus fieri iudices, ubi jurejurando supplicii indulgentia permittitur, non ubi discriminiis sententia preparantur. Si quis etiam Sacerdotum contra hoc commune consultum discussos in alienis periculis exstiterit, sit reus effusi sanguinis apud Christum, et apud Ecclesiam perdat proprium gradum.” Nonetheless, such a passage recognizing that bishops will inevitably have to make accommodations with the secular power (and attempting to exclude capital cases from

recognize that there are circumstances in which the bishop might have secular business.⁷⁷ Most of these regulations envision situations where the bishop, often via intermediaries, will have to deal with secular powers in defense of the poor or those who have taken asylum in a church. At a minimum, the bishop should only intervene in honorable cases, although the canons do make clear that such involvement is often mandated by the ruler.⁷⁸ These rare efforts to limit unavoidable incidents where the bishop must deal with secular business provide the only context in which secular judicial roles of bishops are considered by the *Collectio Dacheriana*. The contrast with royal legislation is stark. Where the canonical legislation announces the main idea that clerics should be separate from the secular world and largely leaves it at that, the royal legislation attempts to negotiate cases where separation was either unfeasible or undesirable.⁷⁹ The effort to situate bishops in the world of secular justice, with overlapping tasks and a focus on cooperation, was a royal effort, not a more general early medieval one.⁸⁰ The specifically royal interest in the topic also emerges from the evidence of the council records from the reign of Charlemagne. These are tightly linked to the king himself and include virtually no material not also addressed in royal legislation. The council records provide a sort of way station between the lack of interest in considering episcopal involvement in secular affairs found in the canon law collections and the explicit address of the topic in royal law.

those accommodations) is rare in this canon collection. Another example is passages that attempt to limit clerical recourse to the emperor, but do leave some room for such an eventuality, such as: *Collectio Dacheriana*, book 2, c. 45 and c. 46, p. 537.

⁷⁷ Regulations for such dealings: *Collectio Dacheriana*, book 3, chapters 143, 144, and 145, pp. 561–2.

⁷⁸ See also *Collectio Dacheriana*, book 2, c. 46, p. 537, which foresees possible imperial interference in what should be ecclesiastical affairs, and book 2, c. 42, p. 537, which notes that a bishop should know if one of his clerics is involved in a secular case. These chapters, and those in these Notes, which do recognize some concurrence with secular justice, are some of the most notable discussions of this problem in the collection. Given that the work has just under 400 canons in all (a figure which a critical edition will adjust), the relative infrequency of the topic is clear. See also Siems, “Bestechliche und ungerechte Richter,” p. 515.

⁷⁹ For example, *Capit.* I, no. 71, c. 5, p. 161: “Interrogandi sunt, in quibus rebus vel locis ecclesiastici laicis aut laici ecclesiasticis ministerium suum impediunt. In hoc loco discutiendum est atque interveniendum, in quantum se episcopus aut abbas rebus secularibus debeat inserere vel in quantum comes vel alter laicus in ecclesiastica negocia. Hic interrogandum est acutissime, quid sit quod apostolus ait: ‘nemo militans Deo implicet se negotiis secularibus’, vel ad quos sermo iste pertineat.” On this capitulary see Nelson, “The Voice of Charlemagne,” pp. 80–4; Patzold, *Episcopus*, pp. 75–7.

⁸⁰ As is done, for example, in *Capit.* I, no. 78, c. 10, p. 174. Compare the vision of conflict between secular (or what she would call legal) and ecclesiastical visions of justice, at least as this relates to penance, in Firey, *A Contrite Heart*.

The councils do make reference to the problem, but not with the frequency or directness that marks out the capitularies.⁸¹ This distinction in kinds of legislation points out the extent to which the approach to justice traced here is a practice particular to the court of Charlemagne during this period.

In sum, the judicial system as envisioned in Charlemagne's capitularies depends on overlapping judicial tasks, with similar roles assigned to multiple agents and little effort to regulate these overlaps. The only structuring features we can discover for balancing these common tasks are an emphasis on cooperation and an expectation that royal intervention will resolve all problems.⁸² The service of counts and bishops as *missi* exacerbated this overlapping in definition of judicial roles, thus adding an extra layer of shared responsibilities in many areas.⁸³ This consistent overlapping of responsibilities resulted in a sort of intentional multiplication, where the king's favored approach to judicial issues was to assign them to several kinds of agents at once, with the expectation that they would either cooperate or that the king would intervene to solve any problems.

Justice in practice

The capitularies, like all normative sources, tell us what those who issued the laws wanted, not what actually happened. Thus, we must raise the question of whether or not the vision of how to achieve justice presented later actually finds reflection in the nonnormative sources. If we cannot substantiate that the double delegation foreseen in the capitularies shaped justice in practice, then we cannot claim that this preference for overlapping was a structuring pattern of Charlemagne's governance. The

⁸¹ While the council records do address issues of clerical roles in royal justice (for instance, the Council of Chalons in 813, c. 11, p. 276; *Concilium Cabillonense*, in *Conc.* II, pp. 274–85), they seem in general to be less concerned than royal legislation with this problem. This is a point worthy of further study.

⁸² On cooperation: *Capit.* I, no. 22, c. 62, p. 58 (also ed. *AG*, c. 61, pp. 210–12); on royal intervention: *Capit.* I, no. 58, c. 5, p. 145. Some of these tensions between agents would persist under Louis the Pious: Gravel, *Distances, rencontres*, pp. 260–8. Gravel's discussion situates these tensions in the context of an ideal of hierarchy that Louis promoted, but then subverted by encouraging nonhierarchical bonds and creating situations conducive to conflicts between agents. For Charlemagne, the *ad hoc* elaboration of techniques of power, the tendency toward a multiplicity of political approaches, and the desire to limit individual authority created the overlapping in official roles and thus the tensions, rather than a conflict between a model of hierarchy and a more complicated reality of practice.

⁸³ On who serves as *missi*, see Eckhardt, "Die Capitularia missorum specialia," pp. 505–7; Ganshof, *Frankish Institutions*, pp. 24–6.

surviving court cases from the reign of Charlemagne do, however, reveal this overlapping and double delegation as it was carried out in practice. The dispute settlement records, for instance, offer us many examples of courts presided over by a variety of figures: Counts, *missi*, and bishops, that is, all those who appear as possible judges in the capitularies.⁸⁴ We have similar evidence for the participation of subordinate officials, such as *iudices*, in the dispute records.⁸⁵ It is not simply that the dispute settlement records reveal all these types of agents acting in a judicial capacity, but that when one tries to define their respective competencies from how they appear in the records, the lines between the roles played by different officials are obscure.⁸⁶ This is not to say that all officials fulfill exactly the same judicial roles, but that the boundary between their different tasks is unclear.

A full study of the nature of Carolingian judicial practice is beyond the scope of this Chapter, but a few examples can illustrate how the surviving records of dispute reflect the normative regulations of the capitularies. It must be noted that the capitularies do in fact provide more extensive evidence about the details of judicial practice than they are usually given credit for. While this issue requires further study, here we will focus on the more limited question of how much the normative framework of overlapping justice analyzed in this chapter finds an echo in the records of judicial practice that have survived.⁸⁷

The judicial records often single out the specific interventions of the official presiding over the session.⁸⁸ Yet, despite the special role for the

⁸⁴ Examples of each include: *Formulae Augienses, collectio B*, no. 40, p. 362 in *Formulae Merovingici et Karolini Aevi*; *Cartulaire de l'abbaye de Saint-Victor*, ed. Guérard, no. 31, pp. 43–6; *I Placiti*, ed. Manaresi, no. 9, pp. 25–8. See also the discussion in my unpublished M.Litt. thesis, J.R. Davis, “Conceptions of Kingship under Charlemagne,” p. 159.

⁸⁵ A few examples include TF no. 231, pp. 213–14, or the dispute record edited with the councils, *Concilium in monasterio Tegernsee habitum*, in *Conc.* II, no. 30, 231–3 (also ed. TF no. 197, pp. 188–90).

⁸⁶ The relationship between the normative law of the capitularies and the practical records of dispute settlement is a complex one, and it is indeed clear that not all the requirements set out in the capitularies were carried out in practice. For a general assessment in the West Frankish lands, see Nelson, “Dispute Settlement,” with nuanced attention to normative standards, deviations from them, and how this all played out in a political world.

⁸⁷ Such further work on judicial procedure needs to integrate normative evidence with the records of practice to elucidate not hard and fast rules, but the nature of the early medieval legal culture. I attempt to do just this in the discussion of the inquest in [Chapter 5](#), pp. 259–78, but there is potential to expand the method to other issues of judicial practice in the future.

⁸⁸ Compare, for example, the case presided over by Hebroard, Pippin’s count of the palace, in 801 (*I Placiti*, ed. Manaresi, no. 13, pp. 36–7) with one presided over by royal *missi* (ChLA 16, no. 633).

head of the court session, there are no clear differentiations in judicial roles for different types of officials: The heads of court sessions play similar roles regardless of their different offices. For instance, we can compare a case from Saint-Gall run by count Unfredus of Rhaetia to one run by Arn of Salzburg, archbishop and *missus* in Bavaria.⁸⁹ In the comital case, Unfredus presided over the hearing: “When Unfredus, the honorable man, count of Rhaetia, sat in the public court in Rankweil”⁹⁰; he interrogated the witnesses: “Then the aforementioned count, having gathered witnesses who were from the pagus, interviewed them”⁹¹; and then sent them out to walk the boundaries of the property being disputed: “Then the aforementioned count commanded that those witnesses go out and demonstrate the boundaries”⁹²; he next ordered the *scabini* to give judgment: “the count asked those *scabini* what they wanted to judge about this case”⁹³; and finally he, along with the *scabini* had a document drawn up: “so on account of [this verdict] they [the parties to the suit] should receive a charter from the count and *scabini*”⁹⁴; which was given under his authority: “Given on the seventh before the ides of February [that is, February 7] under the authority of count Umfredus.”⁹⁵

In Arn’s case, he presided over the session with another *missus*: “When the *missi* of our lord Charles the great emperor were sitting at the lordly fisc of Altötting, archbishop Arn . . .”⁹⁶; he looked at the evidence and, with other officials present, reached a judgment: “Therefore those *missi* of the lord emperor Arn and Otulfus and also all the other bishops, abbots, counts and judges . . . found and judged”⁹⁷; he witnessed the document and ordered the notary to draw it up: “I Egipald deacon and notary on

⁸⁹ The case heard by Arn is TF no. 227, pp. 210–11 and that heard by count Unfredus is: *Urkundenbuch der Abtei Sanct Gallen, part 1: 700–840*, ed. Wartmann, no. 187, pp. 177–8, now re-edited in ChLA 100, no. 28, which I cite here. See further discussion of the legal form of the Saint-Gall case in Chapter 5, pp. 277–8. I am very grateful to Peter Erhart for showing me the original Saint-Gall charter and discussing it with me.

⁹⁰ ChLA 100, no. 28: “Cum resederet Unfredus, vir inluster, Reciarum comis, in curte ad Campos in mallo publico.”

⁹¹ ChLA 100, no. 28: “Tunc praedictus comis, convocatis illa testimonia, qui de ipso pago erunt, interrogavit eos.”

⁹² ChLA 100, no. 28: “Tunc praedictus comis iussit, ut ipsa testimonia suprairent et ipsos terminos ostenderent.”

⁹³ ChLA 100, no. 28: “interrogavit ipse comes illos scabinios [sic, over an erasure], quid illi de hac causa iudicare voluissent.”

⁹⁴ ChLA 100, no. 28: “ut exinde ab ipso comite vel scabinis tale scriptam acciperent.”

⁹⁵ ChLA 100, no. 28: “Datum VII idus febroarii sub Umfredo comite.”

⁹⁶ TF no. 227, p. 210: “Dum resedissent at Otingas fisco dominico missi domini nostri Karoli magni imperatoris, Arn archiepiscopus . . .”

⁹⁷ TF no. 227, p. 210: “Propterea ipsi missi domni imperatoris Arn et Otulfus necnon et ceteri episcopi abbates comites atque iudices . . . invenerunt et diiudicaverunt.”

the command of archbishop Arn drew up and subscribed this charter of a decision”⁹⁸; he appeared in the witness list as “Arn archiepiscopus.”

There are of course some differences here: The first document was not witnessed by the count (just by those who gave testimony and the *scabini*), he directly interrogated the witnesses and gave judgment through the *scabini*. Nonetheless, despite these differences of emphasis the chief judges did the same basic things: They ran the session, oversaw evidence, ensured judgment was given, and had a document written up. Both documents also use the same language to introduce a court hearing. The basic framework of judicial action remained the same even with different officials in charge. Many of the differences in these two cases, especially the use of *scabini* and the direct interrogation, relate to the nature of the cases: A very specific local dispute (albeit one which touched on royal interests)⁹⁹ where the population demonstrated physically their communal view of land boundaries, versus a case heard on the specific order of the emperor and involving a cleric.¹⁰⁰ While these are two different kinds of court sessions presided over by different officials, the basic structure of the judicial process is consistent.¹⁰¹

Furthermore, the dispute settlement records show that different officials handled the same types of cases. Most surviving Carolingian court cases concern property,¹⁰² and many cases are investigations, sometimes staged investigations, which result in the confirmation of ownership.¹⁰³ Bishop Atto of Freising was particularly fond of bringing such cases, which served to confirm his diocese’s holdings in the wake of Charlemagne’s conquest of Bavaria. Yet, one can find similar cases brought by very different figures in completely different parts of the empire.

⁹⁸ TF no. 227, p. 211: “Ego Egipald levita et notarius iussus ab Arnone archiepiscopo hanc cartulam evindictionis scripsi et subscripsi.”

⁹⁹ For this aspect of the case, see discussion in [Chapter 5](#), pp. 277–8.

¹⁰⁰ For Charlemagne’s order to hear the case: TF no. 227, p. 210: “ad mandatum domni imperatoris audiendum sicut praecepit imperator.”

¹⁰¹ On the issue of language in the dispute settlement records see Fichtenau, *Das Urkundenwesen*, pp. 75–6. It is of course also true that officials can appear in more than one type of judicial record (*notitia*, full court hearing, etc.): For the various ways Arn shows up in dispute settlement records, see W.C. Brown, *Unjust Seizure*, pp. 108–11.

¹⁰² This statement is only true of the surviving records of actual cases. Other evidence, such as the *formulae*, reveals a broader set of issues that were addressed in a judicial context. On the *formulae*, see Rio, “Charters, Law Codes and *Formulae*”; Rio, “Freedom and Unfreedom,” now incorporated in Rio, *Legal Practice and the Written Word*; W.C. Brown, “Conflict, Letters, and Personal Relationships”; and several of the essays in W.C. Brown, Costambeys, Kosto, and Innes (eds.), *Documentary Culture*.

¹⁰³ For the Merovingian tradition of “Scheinprozess” see Bergmann, “Untersuchungen zu den Gerichtsurkunden,” pp. 93–105; and the more critical discussion in Weitzel, *Dinggenossenschaft und Recht*, pp. 830–55.

Atto's predilection to use court cases as a means of securing his hold on properties was shared with others in different times and places, such as *missi* of a local count in Brittany, who similarly held a case as a way of vindicating property claims.¹⁰⁴ While local considerations no doubt influenced the variation in who heard cases, the essential point in this context is that such variations do not correlate with the competencies of different officials.

The judicial machinations of Bishop Atto of Freising provide a further illustration of the impossibility of correlating the type of case with the official who heard such a case. As noted later, Atto engaged in a very large number of judicial cases to assure the land claims of the diocese of Freising. These cases, while they varied in their details, were part of one coherent project. Yet, the officials he brought his cases to varied, as is evident in short records that record his successful claims, such as one overseen by local Bavarian judges and another overseen by Arn and other *missi*. The two cases are similar in content and outcome, yet they were heard by people of radically different standing. One cannot match up types of cases to the officials who heard them. This is not to say that there were not reasons why particular figures presided over particular cases, but in terms of the overall issue of judicial competence, the evidence does not suggest that the nature of the case alone determined the presiding official.¹⁰⁵

Finally, a variety of officials working together heard most court cases.¹⁰⁶ In many of these cases, the officials cooperated in giving justice,

¹⁰⁴ Compare two "investigations" of property title that largely serve to confirm ownership, one run by *missi* of the local count (*Cartulaire de l'abbaye de Redon en Bretagne*, ed. de Courson, no. 191, pp. 147–8, on which see W. Davies, *Small Worlds*, pp. 149, 203) and one stage-managed by Bishop Atto of Freising (TF no. 142, pp. 146–7). On Atto and his litigiousness, see W.C. Brown, *Unjust Seizure*, pp. 73–83, 86–8, 97–100; Maß, *Das Bistum Freising*, pp. 71–3. And see further [Note 105](#). For the impact of the Carolingian takeover of Bavaria on bishops' control over property and clergy, see also Esders and Mierau, *Der althochdeutsche Klerikereid*, especially part 2, and, with emphasis on both continuing Bavarian tradition and the impact of the Carolingian conquest: Esders and Mierau, "Die bairischen Eliten."

¹⁰⁵ On Atto and justice, see W.C. Brown, *Unjust Seizure*, pp. 73–101. These cases in general represent an effort to secure his church's holdings. The Freising case heard by judges is TF no. 223, p. 207, and the case overseen by Arn and other *missi* is TF no. 242, p. 221. The point here is the lack of correspondence between agents involved and types of cases. I have similarly noted no clear trends matching the parties to cases or the type of property involved to the judges who heard cases, although it would be interesting to examine further any possible such trends.

¹⁰⁶ One example notable for the variety of people involved is from a case heard in Pistoia: *I Placiti*, ed. Manaresi, no. 19, here p. 60: "Dum in Dei nomine nos Guillerad religiosus episcopus sanctę Pistoriensis Ecclesię seu Iohannes scabino necnon Petrus guasso domni regis resedissemus in iudicio ad singulorum hominum iustitiam faciendum ac deliberandum, residentibus nobiscum Magenrad comes, Rachinari gastaldius, Ifferad

without clear differentiations in their actions based on their different offices.¹⁰⁷ This is exactly what the capitularies suggest the king and his advisers wanted, providing further support for the idea that the capitularies are not as far removed from judicial practice as is sometimes assumed. These observations should not imply that office does not matter. The records are indeed full of cases where we can see the importance of office, such as cases referred to the *missi* when local officials were unable to resolve them.¹⁰⁸ What the records of dispute settlement show is that office shaped the parameters of possible political actions, but did not alone define what judicial roles a specific person fulfilled in a particular instance. The overall message of the *placita* is that many officials worked together to give justice, with an emphasis on getting the cases solved harmoniously rather than differentiating judicial functions.¹⁰⁹ Part of this stress on resolution is a consequence of the genre of *placita*, but that does not minimize the point that the records reflect particular types of judicial actions that correspond to the regulations of normative law.¹¹⁰ The records of judicial practice therefore show us that the justice dispensed in the Carolingian world largely matched the normative models set out in the capitularies.¹¹¹ The bringing of cases to different officials is not solely a function of royal legislation, however. The individuals involved in cases wanted their disputes heard, and heard by whomever they thought could best serve their interests. In noting the parallels between royal legislation and local practice, we should not minimize the agency of the parties to cases, who took advantage of the

presbiter, Averolfus diaconus, Tassimanno et Iohannes filio quondam Gregorii, Anselmi filio quondam Alchisi et reliqui plures.”

¹⁰⁷ See, for example, TP no. 54, p. 46, which was run by two heads, Arn, acting as archbishop and *missus*, and the *iudex* Kysalhart, here called *missus* too, but many people, including another *iudex*, a count, *centenarii*, and a variety of people without titles also witnessed the settlement. The same role of supporting the judgment could be played in the same way by many kinds of officials without any sense of difference beyond the precedence given to the heads of court and the *missi*, who, in this case, were the same people.

¹⁰⁸ TF no. 143, pp. 148–9 is one example.

¹⁰⁹ Examples of harmony in giving justice include TF no. 184b, pp. 175–7 and *Cartulaire de l'abbaye de Saint-Victor*, ed. Guérard, no. 31, pp. 43–6. In fact, the most common situation found in these records is cooperation in giving justice; see also Collins, Fouracre, and Wickham, “Conclusion,” pp. 215–17 (from the section by Fouracre).

¹¹⁰ For some important observations on resolution in early medieval court cases generally, see Collins, Fouracre, and Wickham, “Conclusion,” pp. 232–7 (from the section by Wickham).

¹¹¹ This is also true of royal justice. The cases directly settled by Charlemagne on the whole meet the standards set out in the capitularies: J.R. Davis, “Charlemagne’s Settlement of Disputes.” Compare with Patzold, “Normen im Buch,” arguing that capitularies rarely actually convey clear normative standards.

flexibility of Carolingian justice to bring their cases to the judges they wanted for themselves.¹¹²

The playing out of multiple delegation on a local level is evident not just in particular records of judicial cases, but in the careers of judicial officials.¹¹³ I will explore this aspect of delegation by considering Arn of Salzburg's lifework.¹¹⁴ Arn of Salzburg was a Bavarian noble, who was first appointed bishop of Salzburg under Duke Tassilo, but with Charlemagne's approval.¹¹⁵ He served as a messenger for Tassilo to the pope during the ultimately failed negotiations between Tassilo and Charlemagne on the status of Bavaria.¹¹⁶ Despite this sensitive work for the Bavarian duke, Arn had long-standing ties to Francia, evident especially in his role from 782 onward as the abbot of Saint-Amand, a major Frankish house.¹¹⁷ These Frankish connections make it possible that Arn was one of those Bavarians who eased the Carolingian takeover by favoring Frankish over Agilolfing rule.¹¹⁸ Regardless of his personal role in the takeover, which is in any case unclear, Arn very quickly came to an accommodation with Charlemagne and became one of his most loyal and effective servants in Bavaria.¹¹⁹ Charlemagne had Arn's office as bishop of Salzburg raised to the status of a metropolitan in 798, thus making Arn the head of the Bavarian church.¹²⁰ Arn also served as a *missus* in his

¹¹² The unusual dispute record edited with the councils likely was heard in its conciliar setting due to the agency of one of the disputants, Atto of Freising: *Concilium in monasterio Tegernsee habitum*, in *Conc.* II, no. 30, pp. 231–3 (also ed. TF no. 197, pp. 188–90). I owe this point to Warren Brown. For further discussion of this interesting case, see Esders and Mierau, *Der althochdeutsche Klerikereid*, pp. 165–8.

¹¹³ I would like to thank Max Diesenberger for his advice on the discussion of Arn in this section.

¹¹⁴ Arn's service for Charlemagne shares many features with that of other key royal agents; I will address this point elsewhere.

¹¹⁵ Semmler, "Zu den bayrisch-westfränkischen Beziehungen," p. 396; Jahn, *Ducatus Baiuvariorum*, p. 528.

¹¹⁶ Royal Frankish Annals s.a. 787, pp. 74–8, with comments of M. Becher, *Eid und Herrschaft*, pp. 59–61.

¹¹⁷ For a brief biographical sketch see Bullough, "Charlemagne's 'Men of God': Alcuin, Hildebald and Arn," pp. 146–8. See also Wolfram, "Arn von Salzburg und Karl der Große"; Dopsch, "Die Zeit der Karolinger und Ottonen," pp. 157–73. On Arn's family: Störmer, "Der junge Arn," here especially pp. 9–15; Jahn, *Ducatus Baiuvariorum*, pp. 330–4; Störmer, *Adelsgruppen*, pp. 74–5, 89. On his episcopal appointment: Semmler, "Zu den bayrisch-westfränkischen Beziehungen," pp. 392–6. However, see Jahn's warnings against making too much of these Frankish links at least in the early days of Arn's career; *Ducatus Baiuvariorum*, p. 494.

¹¹⁸ Airlie, "Narratives of Triumph," pp. 103–4.

¹¹⁹ On his potential role in the takeover, arguing for limited evidence: Freund, *Von den Agilolfingern zu den Karolingern*, p. 154; on his service to Charlemagne: W.C. Brown, *Unjust Seizure*, pp. 102–5; Freund, *Von den Agilolfingern zu den Karolingern*, p. 163.

¹²⁰ See, for example, Alcuin's letter of congratulations, letter no. 173, pp. 286–7. See also *Annales Iuvavenses maiores*, s.a. 798, p. 87 (p. 736 in the re-edition); *Annales Iuvavenses*

native Bavaria and his activities in this context have left ample records, which allow us to elaborate on certain aspects of his career.¹²¹

The twin foundations for Arn's power were his personal links to Charlemagne and his local status in Bavaria. Much of the time our evidence for agents carrying out royal orders is indirect; that is, we can see the order and the response, but we usually lack a document that announces the intention of the agent in doing something was to fulfill the royal command. One of the remarkable features of Arn's service to the king is that several documents associated with his carrying out of his official duties explicitly announce his efforts to follow royal orders, such as a dispute settlement record in which Arn ordered the witnesses to tell the truth because of the oath they swore to the emperor in that very year, and the proceedings of a regional Bavarian council, which proclaim that the changes made in that council were an effort to enact in Bavaria what was otherwise done in Francia at large.¹²² The dispute case is just one among many records in which we can see Arn putting into action the discussions at Aachen around

minores, s.a. 797, p. 89 (s.a. 798, p. 737 in the re-edition); *Annales Sancti Emmerammi Ratisponensis maiores*, s.a. 798, p. 93 (p. 737 in the re-edition); letters of Pope Leo III (nos. 3 (pp. 58–9), and 4 (pp. 59–60), in *EPV*; letters from Leo related to Arn can also be found in the Salzburg Urkundenbuch: *Salzburger Urkundenbuch*, ed. Hautthaler and Martin, vol. 2, documents 2 a–d, pp. 2–10. Overview in Freund, *Von den Agilolfingern zu den Karolingern*, pp. 182–95.

¹²¹ Hannig, “Zur Funktion der ‘missi dominici’,” p. 273.

¹²² Oath at court: TF no. 186, pp. 178–9: “Tunc praedicti missi dominici Arn archiepiscopus et Aduluuinus episcopus atque Orendil iudex ipsos homines qui hoc testificaverunt in medium vocaverunt et per sacramentum fidelitatis quem domno Karolo magno imperatori ipso praesente anno iuraverunt attestati sunt eos, ut omnimodis absque ulla fraude vel ingenio ita ut veracissime de ipsa causa scirent ita in palam adnuntiarent”; this text is cited and discussed in the [Introduction](#), p. 5. For further discussion of the use of the oath in court cases Arn presided over, see Esders and Mierau, *Der althochdeutsche Klerikereid*, pp. 149–50. For the council: *Concilium Rispacense*, in *Conc.* II, no. 22, document A, pp. 196–7, here p. 196: “Sicut optime noverit fraternitas vestra, et canonica auctoritas probat omniumque nostrorum est utilitas maxima, qui sumus in loco regiminis constituti, synodale conloquium habere et ibi pertractare nostrum ministerium a Deo nobis commissum ad profectum totius Christianae plebis, quia id ipsum a confratribus nostris episcopis hoc anno in regno domni senioris nostri in Francia est peractum.” When the Frankish synod referred to in the Bavarian council records might have happened is unclear; see W. Hartmann, *Die Synoden*, p. 142; part of the problem is that there is also a debate about when the Bavarian synod took place: See Reindel, “Bayerische Synoden,” pp. 13–18, and if it is in fact a real council, see Pangerl, *Die Metropolitanverfassung*, pp. 204–5. A similar reference to carrying out in Bavaria what was done in Francia is made in the preface to the triple council of Reisbach, Freising, and Salzburg, where Bishop Sindbert reads out decrees from Aachen and Frankfurt so that the assembled Bavarian clergy can agree to them: Edited in Werminghoff, “Zu den bayrischen Synoden,” pp. 42–4. On Arn's conciliar work, see also Dopsch, “Die Zeit der Karolinger und Ottonen,” pp. 167–8. These councils are discussed further in [Chapter 5](#), pp. 243–59.

801–3 on justice.¹²³ Moreover, a recently discovered collection of capitulary material, prefaced by an admonition announcing the essentials of Charlemagne's vision of rulership and correction, is likely the work of Arn, and is another example of how profoundly the archbishop of Salzburg took on Charlemagne's goals.¹²⁴ Arn's efforts to express his understanding of his role in Bavaria repeatedly stress royal delegation. Another example is the record of land grants to Salzburg, which Arn had compiled, and which he presented as an effort sanctioned by Charlemagne in recognition of the Frankish conquest.¹²⁵ Whether or not Charlemagne would have seen Salzburg's property manipulations in the same light is a separate issue.¹²⁶ For our purposes, the key point is that Arn's self-presentation of his work envisions his actions as the fulfillment of a royal program.

Given his energetic efforts to do what Charlemagne asked for, we should not be surprised that Arn can often be found at the center of events of great moment politically. To give just one example, Arn was in Rome during the investigation of the attack on Pope Leo III that eventually precipitated the imperial coronation of Charlemagne, and he participated in the Frankish attempts to find a way to absolve the pope from the charges of his enemies and yet not actually put him on trial.¹²⁷ Arn

¹²³ Innes, "Charlemagne, Justice and Written Law," pp. 159, 180–5. See also Goldberg, *Dilectissimus Pater*, on Arn's role in shaping the 802 legislation. I would like to thank Matt Innes for sharing his work with me prior to publication, and Eric Goldberg for sending me his unpublished thesis.

¹²⁴ H. Schneider, "Karolingische Kapitularien und ihre bischöfliche Vermittlung," with text edited on pp. 485–96; the references, direct and indirect, to royal commands are constant. This collection has recently been dated to 806 by Michael Glatthaar, in *AG*, pp. 126–35, but I prefer Schneider's date of 813. A further example is the "Bavarian Collection" of sermons and saints' lives compiled in Arn's Salzburg; see Diesenberger, "How Collections Shape the Texts." Arn may also have played a role in the debates about baptism, *computus*, and the procession of the Holy Spirit, which greatly preoccupied the Carolingian court; for texts concerning these issues, which may have been authored or compiled by Arn, see, respectively: Keefe, *Water and the Word*, vol. 1, pp. 93–4 for discussion, edition in vol. 2, pp. 467–88; Die Predigt Arns von Salzburg um 802, in *Schriften zur Komputistik*, ed. Borst, vol. 2, discussion on pp. 820–32, edition, pp. 833–84; *Testimonia ex sacris voluminibus collecta*, in *Das Konzil von Aachen, 809*, ed. Willjung, pp. 252–83, and discussion on pp. 41–7, 62–87.

¹²⁵ *Notitia Arnonis*, ed. Lošek, p. 84: "Noticiam vero istam ego Arn una cum consensu et licentia domni KAROLI piissimi regis eodem anno, quo ipse Baioariam regionem ad opus suum recepit . . ."

¹²⁶ Charlemagne did accede to Arn's request to confirm Salzburg's land holdings shortly after the incorporation of Bavaria (DK 168), but how aware he was of Arn's efforts to restructure his property is unclear.

¹²⁷ Alcuin, letters 179 (pp. 296–7), 184 (pp. 309–10), 186 (pp. 311–13). See also *Vita Leonis III*, c. 20, pp. 6–7 and *Annales Maximiniani*, s.a. 799, pp. 22–3. The complexities of Arn's role in the sensitive negotiations surrounding the purgation of Leo and the imperial coronation are explored in Schieffer, "Arn von Salzburg und die

visited Italy as a *missus* during these tumultuous years of 797–802, while also conferring with Charlemagne in Francia and supervising missionary work in the former Avar lands.¹²⁸ Alcuin's letters reveal another aspect of Arn's career, namely, his connections to court society on a personal level.¹²⁹ Alcuin admittedly wrote to many people, but he treated Arn as a dear friend and a member of the tight-knit court circle that encouraged intellectual and cultural concerns and included many foreigners.¹³⁰ Arn, as we see him in the letters of Alcuin, was a political player and a member of the social group that was the most lively face of the court.¹³¹ On both a governmental and cultural level, he was a key figure in Carolingian society.¹³²

He was also a key figure in Bavarian society. His family ties and local connections reveal him at the center of a Bavarian aristocratic community that persisted after the Carolingian takeover.¹³³ Arn was thus an important figure in Francia and in Bavaria. But what really made Arn effective was the combination of local influence and participation in imperial affairs. Arn spent much of his time mediating between his Bavarian homeland and the Frankish king who augmented and supported his power.¹³⁴ For example, Arn expressed to his people in Bavaria

Kaiserkrönung Karls des Grossen," with ample attention to the evidence of Alcuin's letters. The implications of the coronation itself will be discussed in [Chapter 7](#).

¹²⁸ We know of some of Arn's work in Italy via a case later reopened in 812: *I Placiti*, ed. Manaresi, no. 25, pp. 78–80, here p. 79. Arn was seemingly also involved in an effort to select a new patriarch of Grado after the murder of the previous incumbent, John (Alcuin, letter 207, pp. 343–5, here p. 344, with a report of the murder in John the Deacon, *Chronicon Venetum*, p. 13). For an overview of Arn's career during this period, see Wolfram, "Arn von Salzburg und Karl der Große," pp. 24–6; Dopsch, "Die Zeit der Karolinger und Ottonen," pp. 164–5; Wolfram, *Grenzen und Räume*, pp. 172–4.

¹²⁹ See, for example, Alcuin, letters 10 (p. 36), 146 (pp. 235–6), and 165 (pp. 267–8).

¹³⁰ On Alcuin's correspondents: Bullough, *Alcuin*, pp. 35–43; on Alcuin's and Arn's friendship: Bullough, *Alcuin*, pp. 362, 367; Diesenberger and Wolfram, "Arn und Alkuin," pp. 81–3; Garrison, "*Praesagum nomen tibi*," p. 127.

¹³¹ See, for example, Alcuin, letter 218, pp. 361–2, lines 32–3, 1–3: "Gaudens gaudebo de fide et caritate beatitudinis vestrae; de prosperitate, salute et exaltatione pii principis triumphatoris magni et gloriosi imperatoris et nobilissimae prolis illius fideliumque omnium eius incolomitate; nisi duo defuerunt in litteris vestris: de domno apostolico, patre nostro, qualiter longa certatio pastoris et populi terminata esset; et de Beneventana controversia. Quia sollicitus sum valde de filiis meis; quorum mihi vitam et salutem et benefacta pernecessaria esse tu ipse optime nosti." On the nature of court society, see pp. 30–3 in the [Introduction](#).

¹³² Arn was also deeply involved in missionary work in the Slavic/Avar lands in the East and in church councils in Francia and Bavaria. These activities are surveyed in the accounts of Arn's career listed in [Note 117](#), but will not be further analyzed in this chapter. The church councils will be addressed in [Chapter 5](#), pp. 243–59.

¹³³ W.C. Brown, *Unjust Seizure*, especially pp. 102–5, 120–3.

¹³⁴ Arn of course is not the only figure who performed such mediation. On the merging of the Frankish and Bavarian aristocracies, see, for example, Mitterauer, *Karolingische*

the main ideas associated with the royal religious reform program.¹³⁵ The legislation produced by the Bavarian church under Arn's guidance fulfilled the terms of the reforms announced in the *Admonitio generalis*, while still drawing on Bavarian traditions of ecclesiastical legislation.¹³⁶ Arn served for many years as a *missus* in Bavaria, thus bringing this essential Carolingian institution into a newly conquered region.¹³⁷ In undertaking reforms like these, Arn merged Bavarian precedents with royally defined goals and techniques of implementation.¹³⁸ This combination of Bavarian and imperial interests is also evident in other activities, and in particular in Arn's judicial work.

The surviving dispute settlement records from Bavaria reveal Arn's skillful exploitation of his offices to widen the scope of action available to him, and thus to enable him to undertake a variety of activities.¹³⁹ These records allow us to investigate how Arn fulfilled his offices and provide another example of the kind of overlapping roles envisioned in the capitularies being played out in practice. Arn was both a *missus* and an archbishop, offices, as we have seen, which each carried judicial

Markgrafen, pp. 1–84. And generally on Frankish power coming into regions, see Innes, *State and Society*, *passim*.

¹³⁵ For example, Arn's *Instructio pastoralis*, edited with the records of council no. 22 (*Concilium Rispacense*, in *Conc.* II, pp. 196–201, here pp. 198–201). The text is also edited by Étaix, "Un manuel de pastorage," pp. 116–23. The dating, however, is not entirely clear; see Reindel, "Bayerische Synoden," pp. 13–18. It has also been questioned if this text should be linked to a synod and if it might predate Arn; see full discussion in Diesenberger, "Sammeln und Gestalten," pp. 178–83, and my arguments in Chapter 5, pp. 251–2. It seems to me that the text is linked with Arn even if he reworked earlier materials. For further examples of Arn's work bringing Carolingian religious reform to Bavaria, see Mordek and Glatthaar, "Von Wahrsagerinnen und Zaubern"; and for Arn's contribution to the movement of hagiographical texts from Francia to Bavaria, see Diesenberger, "Der Cvp 420."

¹³⁶ W. Hartmann, *Die Synoden*, pp. 88–96 on earlier Bavarian synods, and see further discussion of Bavarian reform councils in Chapter 5.

¹³⁷ On the establishment of the *missi* in Bavaria, see the revisionist view in Hannig, "Zur Funktion der 'missi dominici'," especially pp. 298–9. It has also been suggested that Arn was a sort of regent while Bavaria lacked a leading secular official between the death of Gerold and the appointment of Audulf as a new prefect: Wolfram, "Arn von Salzburg und Karl der Große," pp. 26–8.

¹³⁸ Another example is found in a sermon Arn preached in response to a royal command, which combined the king's order about fasting and prayer in the face of famine with some Bavarian precedents; see the edition and discussion in Pokorný, "Ein unbekannter Synodalsermo." For Bavarian translation of Carolingian reform, see Phelan, "The Carolingian Renewal."

¹³⁹ Brown cogently lays out the many roles played by Arn in Bavaria; W.C. *Unjust Seizure*, pp. 102–23. Brown interprets Arn's judicial activity as stemming from his personal status in Bavaria and his links to Charlemagne signaled by his multiple offices. I emphasize here the combination of offices more than Brown, but we agree that Arn drew on both Bavarian status and royal support to make possible his actions in Bavaria. I am very grateful to Warren Brown for discussing these issues with me at length.

responsibilities. The office of bishop was a venerable one, with deep roots in Bavaria.¹⁴⁰ The office of *missus* was introduced along with Carolingian control after the 788 takeover.¹⁴¹ Arn could, and did, settle cases as both archbishop and *missus*. Some attention to how Arn's dual offices appear in the records of cases he judged will reveal several important features of his royal service. The records make a distinct point of noting Arn's offices, at times directly making reference to his fulfillment of royal commands.¹⁴² Yet, the records are entirely unclear about which office underlay his actions. Arn is inevitably referred to as archbishop, but many of the records also call him *missus*.¹⁴³ However, the variation in

¹⁴⁰ One could argue, however, that Arn's carrying out of his episcopal office corresponded to Frankish expectations. This is evident in a variety of respects, including the emphasis on certain forms of canon law; see the interesting article by Landau, "Kanonessammlungen in Bayern." The inauguration of a Bavarian metropolitan office in itself was not a new idea, though the choice of Salzburg may well have been a Carolingian decision, and possibly an unpopular one at that; see, for example, the survey of the issue with reference to further literature in Freund, *Von den Agilolfingern zu den Karolingern*, pp. 182–207. Freund argues against considering the Carolingian takeover as a major break in Bavarian ecclesiastical organization, but he also provides an overview of the available evidence and considers other positions.

¹⁴¹ Arn is first attested as a *missus* in Bavaria in 791 and last attested in 811. Some scholars argue that Arn was a regular *missus* only from 802–7, with the implication that he was a special *missus* at other times (Dopsch, "Die Zeit der Karolinger und Ottonen," pp. 164–6, 173; Wolfram, *Grenzen und Räume*, p. 173; Wolfram, *Salzburg, Bayern, Österreich*, 185–8; see also Goldberg, "Dilectissimus Pater," pp. 59–82). These scholars base their arguments on the changes to the missatical office introduced in 802. Whether such changes should be linked so tightly to Arn's career is arguable, but in any case the distinction between Arn's service as a special or regular *missus* is not clear to me in the documents settling disputes. Therefore, the discussion here will take account of all cases Arn settled, whether they fall into the time period 802–7 or not. Compare the chronology of Hannig, "Zur Funktion der 'missi dominici'," pp. 273–4 who emphasizes missatical work clustering around 790 and around 802–10 (this chronology relates to all missatical cases in Bavaria, not just those heard by Arn).

¹⁴² The documents occasionally refer to him by name alone (for instance, TF no. 299, pp. 258–9) after he has been identified by one of his possible titles, but in every record he is accorded a title at some point. For a direct reference to royal command: TF no. 193b, p. 183: "residente Arnone archiepiscopo et Attone episcopo una cum Erchanbaldo comite, Otperto et Alprico iudicibus in mallo publico per iussionem domni Karuli [sic] augustissimi imperatoris." See also TF no. 227, pp. 210–11.

¹⁴³ The surviving dispute settlement records are: TF nos. 142 (pp. 146–7), 181 (p. 173), 183 (p. 174), 184a and 184b (pp. 175–7; the land transfer ending the dispute is recorded in the next document, no. 185, pp. 177–8), 186 (pp. 178–9), 193a and 193b (pp. 183–5), 197 (pp. 188–90; also ed. as *Concilium in monasterio Tegernsee habitum*, in *Conc.* II, no. 30, pp. 231–3), 227 (pp. 210–11), 231 (pp. 213–14), 242 (p. 221), 247 (pp. 223–4), 251a and 251b (pp. 226–7), 258 (p. 231), 299 (pp. 258–9) and TP, nos. 13, 50, and 54, pp. 12–13, pp. 43–4 and p. 46 respectively. See also W.C. Brown, *Unjust Seizure*, pp. 106, 108, 120. Arn is called *missus* in the following records: TF nos. 142, 183, 184 a and b, 186, 227, 242, and TP nos. 50 and 54. Other records use language typical of missatical documents (for instance, TF no. 193b). TF no. 248, pp. 224–5, also edited as *Concilium Salisburgense*, in *Conc.* II, no. 32, p. 234, does

titles does not correlate with any variations in types of cases or procedures used or other agents involved.¹⁴⁴ That is, we cannot link the different titles used (which are not just *missus* and archbishop, but variations thereof) to any clear patterns in the records.¹⁴⁵ Whether or not Arn judged as archbishop or as *missus* did not depend on the nature of the case. Lower officials cooperated with Arn in cases where he acted as archbishop and cases where he acted as archbishop and *missus* seemingly without creating confusion or any conflict.¹⁴⁶ The dispute settlement records are uninterested in what tasks Arn fulfilled due to what office; for the notaries of Bavaria what mattered was the special authority Arn possessed from his double sanction of royal and episcopal power, all buttressed by his personal status. Arn's different titles all matter or they would not be used together.¹⁴⁷ This is true not only of Arn: Carolingian court cases were decided by people who were given titles of some kind, even if those titles can differ.

How can we account for these variations in titles? One explanation we must reject is scribal capriciousness. The language of these Bavarian

suggest some conflict, but this is surrounding the issue of tithes rather than a typical court case, so I treat it as a synod, as in [Chapter 5](#), pp. 247–8.

¹⁴⁴ Warren Brown has suggested that the archiepiscopal title is emphasized in cases involving compromise (W.C. Brown, *Unjust Seizure*, p. 120), but it seems to me that compromise and negotiation underlay many of the cases and that there are not obvious patterns for what titles are used when. Moreover, the language of the two cases Brown refers to can be explained otherwise. TF 197 (pp. 188–90; also ed. as *Concilium in monasterio Tegernsee habitum*, in *Conc.* II, no. 30, pp. 231–3) is an unusual case, in which Arn acts as one of a group of bishops and has no other precedent in the Bavarian documents. TF 193 may not call Arn *missus* but it so clearly emphasizes his delegation from Charlemagne in TF 193b that it makes it clear that Arn acts here not only as an agent of the church, but explicitly as an agent of Charlemagne (see also [Note 143](#) on the use of missatical language in this record). Nonetheless, it is possible that the records do tend to associate explicit mediation with episcopal office (as in TF 197), but when one tries to match patterns of office cited and nature of case, there is simply no clear trend. See also Hannig, “*Pauperiores vassi de infra palatio?*” 320, with very different conclusions.

¹⁴⁵ Arn is recorded deciding cases as *missus* and archbishop (for instance, TF no. 183, p. 174), as bishop (TF no. 247, pp. 223–4), as *pontifex*, *missus*, and archbishop (TF no. 184b, pp. 175–7), and so on. See also W.C. Brown, *Unjust Seizure*, pp. 108, 120. Compare Goldberg, “*Dilectissimus Pater*,” pp. 59–82 or Freund, *Von den Agilolfingern zu den Karolingern*, pp. 222–3, who think Arn and other Bavarians act as *missi* only when they are so called in the documents.

¹⁴⁶ Many of the same officials served with Arn in numerous cases in which he presided by virtue of different roles, with no obvious effect. An example is the judge Kysalhart (in TF nos. 227 and 251 (pp. 210–11 and 226–7, respectively), and TP nos. 50 and 54, pp. 43–4 and p. 46). Also noted by W.C. Brown, *Unjust Seizure*, pp. 106–7, note 22. Arn is called archbishop (or bishop) and *missus* in all these cases, except for TF no. 251, where he is only called archbishop. The phrasing of these records might suggest that Kysalhart is a *missus* himself.

¹⁴⁷ For example: “Dum resedissent missi serenissimi augusti Arnone scilicet archiepiscopo . . .”: TF no. 183, p. 174.

records is too thoughtful for us to dismiss the variations as simple inconsistency.¹⁴⁸ Rather, I would argue we can draw three lessons from this model of royal service. First, Carolingian office holding was flexible: The records can conceptualize Arn's judicial work as that of an archbishop or that of a *missus*, or both without problem.¹⁴⁹ The offices could be combined in different ways at different moments in Arn's career. The lines between Arn's different offices were unclear. What he did as an archbishop and what he did as a *missus* are sometimes indistinguishable.¹⁵⁰ Obviously, there were different tasks associated with each office, but where one office left off and the other began is not easy to see.¹⁵¹ Second, local influence worked hand-in-glove with imperial designation. Regardless of what title Arn was accorded in a particular record, he was both a well connected Bavarian aristocrat and Charlemagne's man on the ground. As seen via the dispute settlement records, Arn's local connections buttress the power he was delegated by the king, and his imperially bestowed offices supplement rather than supplant his regional influence. Finally, Arn appears as an able and independent agent in these records. But he also appears as a loyal royal servant, who explicitly acknowledges royal delegation and solves cases in ways that accord with the judicial policies laid out in royal law. Unlike so many other Carolingian aristocrats, Arn explicitly tells us that he is trying to do what Charlemagne has commanded. What we should notice in these records is not only that Arn took these royal orders seriously, but that he managed to succeed in fulfilling them. Arn joined local influence, royal office, and an embrace of Charlemagne's judicial reforms, a combination which resulted in an effective and far-reaching series of judicial decisions in Bavaria.

In summing up Arn's career, several key features are relevant to an investigation of royal service. First of all, Arn's work for the king was not confined to one sphere of life. Despite his activity as a bishop, and indeed energy toward his pastoral duties, Arn did many other things.¹⁵² Second,

¹⁴⁸ For useful comments on why the language of these records matters see W.C. Brown, *Unjust Seizure*, pp. 109–12. Many cases associated with Arn are also noticeable for the use of typical Carolingian judicial formulas: Goldberg, "*Dilectissimus Pater*," pp. 61–71.

¹⁴⁹ This is true regardless of whether the documents were drawn up by Arn's notaries or by the notaries associated with the churches who benefitted from his decisions. See W.C. Brown, *Unjust Seizure*, pp. 111–12 for discussion of the notaries who worked with Arn.

¹⁵⁰ See also Wolfram's comments on how Arn could act as a *missus* while still being called archbishop: Wolfram, "Arn von Salzburg und Karl der Große," p. 28.

¹⁵¹ Compare Hannig, "Zur Funktion der '*missi dominici*,'" claiming that *missi* in Bavaria, as elsewhere in the Carolingian world, were local aristocrats pursuing their own interests who might be called *missi* when those interests happened to coincide with those of the court. I will argue against this understanding of office holding on pp. 80–5.

¹⁵² To the point where his friend Alcuin warned him about spending too much energy on secular matters; Alcuin, letter no. 253, p. 409, lines 9–13: "Doleo te, frater, doleo ex

his activities were not narrowly confined to any one area. Despite his Bavarian roots and the focus of his activities in Bavaria itself, Arn was an imperial figure. This is evident both in his involvement in high level political affairs, and in his role as a conduit for bringing Carolingian rule into Bavaria.¹⁵³ Third, Arn managed to use his offices and his ties with Francia and Bavaria to do a lot. He was the kind of agent royal law envisioned. The fact that Charlemagne was able to find such agents able to carry out his approach to rule is a key point, because he asked so much of these agents. This does not mean, obviously, that all royal agents were as active and successful as Arn, but the existence of a few such examples is important in demonstrating Charlemagne's ability to attract dutiful and competent service. Finally, Arn's particular complex of offices, Bavarian roots, and imperial activities was specific to him alone. The next archbishops of Salzburg did not, and could not, have functioned in quite the same way because they simply did not have the same ties, interests, and precise methods of carrying out their offices.¹⁵⁴ The activity of Arn of Salzburg, then, shows us multiple fields of royal service, a combination of a local and imperial scale for office holding, effective work on behalf of the king, and the particularity of Arn's own experience.

The advantages of overlapping

This Chapter has traced how normative sources apportion overlapping judicial roles and how these regulations in the normative law were carried out in practice, via the examples of dispute settlement records and the career of a particular individual. If normative law set out this multiple delegation, and then people carried it out in practice, we need to ask why. The simplest answer might seem to be the nature of Carolingian law itself. The capitularies are a work of law in progress, with contradictions, overlaps, and changes over time.¹⁵⁵ This is not a set body of statute law, and thus we could attribute the lack of clarity in judicial roles to the

intimo cordis maerore propter negotia saecularia, quae impediunt quadam nubium concreione caritatis radios, qui ex pectoris vestri flamma multos inradiare potuissent, si non caligine occupationum terrenarum obscurarentur. Tamen vigilet in corde, et foras temporibus oportunis fulgorem exerat, ut luceat omnibus, qui in domo Dei sunt; qui non sint caeci ad videndum, vel surdi ad audiendum." See also Alcuin, letter 265, pp. 422–4.

¹⁵³ And indeed beyond Bavaria, as in his work in converting the Slavic peoples. For instance, see *Conversio Bagoariorum et Carantanorum*, ed. Lošek, c. 8, pp. 114–16.

¹⁵⁴ Compare W.C. Brown, *Unjust Seizure*, p. 121, offering a different explanation for this phenomenon, which emphasizes the titles as a way of showing local status and royal support.

¹⁵⁵ I build on Mordek, "Karolingische Kapitularien," pp. 31–5, 40 (pp. 61–5, 70 in the reprint).

nature of the law itself, and to its contradictions and overlaps.¹⁵⁶ However, the capitularies as law have several clear themes and interests,¹⁵⁷ and they so regularly reiterate this approach to justice that we need to explain it and not treat it as an accident or a reflection of judicial incompetence.

Why then would the king and court favor this approach to justice? There are several benefits. First of all, it created a flexible judicial system, in which cases could be pursued in many different ways.¹⁵⁸ This had several advantages. It meant that too much power never cohered in any one official's hands. Because each local power holder had different connections and personal circumstances, it would allow claimants to bring their cases to different power holders based on where they thought they would find the most favorable response.¹⁵⁹ Given the details of local relations, this means that different people would bring cases to different officials at different times. The power of judicial action, then, was spread out among officials and did not "clump" with any one figure. This is where Hannig's emphasis on variation geographically in the missatical system is most important.¹⁶⁰ It is not that the model of office promulgated by the court did not matter, but that its implementation varied based on local circumstances. These variations in implementation did not invalidate the importance of the office as defined in royal sources, but created local differences that themselves were valuable to king and court.

Moreover, the lack of clarity in judicial roles means that conflicts could occur over who was to treat a case. This was not necessarily a bad thing as far as the royal court was concerned, because it gave the king ample scope to intervene, either by deciding who should settle the case or by solving it himself.¹⁶¹ The judicial overlaps do not of course mean that conflicts would arise over every judicial case, but that the system made such conflicts possible as a matter of course. There were likely often local solutions to such conflicts, dependent on local hierarchies and

¹⁵⁶ Ganshof, *Recherches sur les capitulaires*, pp. 72–4.

¹⁵⁷ There are also capitularies that contain segments devoted to particular themes, despite the diversity of the texts as a whole: See Pössel, "Authors and Recipients," pp. 261–5 for discussion and examples.

¹⁵⁸ On the appeal of a flexible legal system, see also Fouracre, "Carolingian Justice," p. 794.

¹⁵⁹ For some examples of the local circumstances that could shape judicial disputes, see Innes, "Practices of Property."

¹⁶⁰ Hannig, "Zentrale Kontrolle," p. 10; Hannig, "Zur Funktion der 'missi dominici'," p. 259.

¹⁶¹ For one example, see the dispute between Alcuin and Theodulf over a fugitive cleric, which is more a matter of jurisdiction than local circumstance, but still shows the nature of royal intervention. The case is known from letters of Alcuin: nos. 245–9, pp. 393–8, 398–9, 399–401, 401–4, respectively.

negotiation among neighbors. From the perspective of judicial structures, the offices assigned to judicial figures were significant, but given the overlaps in authority they alone did not determine the details of any one case. This is not a denigration of the role of office, but it did work it into a political system in which flexibility was the rule and the king was the ultimate arbiter. This approach to justice got many people involved in judicial problems from many angles. But it also meant that no one local figure would settle all judicial cases in any one region and it left the king as the final authority figure.¹⁶² From the vantage point of the court if the goal was to get justice done, this approach created many ways to give justice, got many people working on the problem, and yet protected royal authority.

These observations allow us to question two primary criticisms of royal justice presented in the historiography, namely, that it was too chaotic to be effective and that it had no impact locally. As for the first claim,¹⁶³ the chaos, or perhaps better, overlapping and inefficiency, was part of the point. Local authorities would give justice. This was not changeable and indeed the king did not want to change it.¹⁶⁴ But the overlapping approach to the apportioning of judicial roles allowed local authority figures to give justice while the king remained the main authority. This may not be modern bureaucracy, it may not be efficient, and it no doubt broke down at times. But on the whole it was a logical and reasonable response by the king and court to the situation of wanting justice done, needing justice to be implemented locally, and yet striving to maintain overall judicial authority.¹⁶⁵ The justice available in Charlemagne's empire was frequently corrupt, by both our standards and theirs, but this is hardly unusual in the premodern world, and there is no reason to see it as particularly prominent under Charlemagne.¹⁶⁶ As for the second concern, several observations counter the idea that royal law had no

¹⁶² When the king did intervene to make such decisions, he would usually do so on the basis of information gathered locally, such as the evidence compiled in Marseilles around 780 by his *ad hoc missus* Vernarius: *Gallia Christiana novissima*, ed. Albanés and Chevalier, vol. 2, no. 41, cols. 33–4; for the court case linked to this report: *Cartulaire de l'abbaye de Saint-Victor*, ed. Guérard no. 31, pp. 43–6.

¹⁶³ Argued, for instance, in: Ganshof, "The Last Period of Charlemagne's Reign"; Ganshof, "Charlemagne's Failure."

¹⁶⁴ See also Ganshof, *Frankish Institutions*, p. 76.

¹⁶⁵ This loosely defined judicial competence also makes sense in a world where office was not entirely coincident with geography, particularly for counts: Innes, *State and Society*, pp. 119–20; Mitterauer, *Karolingische Markgrafen*, *passim*; Nelson, "Kingship and Royal Government," pp. 411–12; Nonn, "Probleme der frühmittelalterlichen Grafschaftsverfassung"; C. West, *Reframing the Feudal Revolution*, pp. 140–2.

¹⁶⁶ On the failings of Carolingian justice, see in particular: Fouracre, "Carolingian Justice." See also discussion in the [Conclusion](#), pp. 435–6.

impact locally. First of all, as we have seen, dispute settlement records show the system working the way normative law expected it to. We also examined an example of an agent whose career exemplified this approach to judicial activity. Perhaps a deeper answer, however, lies in understanding how the king was structuring local power politics.

Jürgen Hannig, in particular, has claimed that the missatical system was just a royal gloss on local realities, which put a new face on what could not be changed.¹⁶⁷ Hannig's important argument, set out in several articles, hinges on two main observations, namely, what agents are called in the sources and what they actually did.¹⁶⁸ Let us begin with the former contention. Hannig emphasizes the variability in titles given to aristocrats. One figure can be called count and then called *missus*, with little time between the records and no obvious distinction between what activities the agent undertakes in association with each title.¹⁶⁹ As I argued about Arn of Salzburg, this variability need not imply that office does not matter. Royal agents in the late eighth or early ninth centuries could have more than one office, and could have offices with overlapping competencies. This does not mean that offices were irrelevant, but that how they were played out varied according to the specific situation. Moreover, the kinds of variations Hannig discussed in particular regions can also be found in other places in the empire. The fact that the titles vary in similar ways in many places itself is an indication of some common political features in the empire, which coexisted with the local variations.¹⁷⁰ It is not then that there was no coherence to the idea of an office, but that an individual who held an office did not act solely in terms of that office, nor did he act in the same ways all the time. The nature of any one office holder's actions was shaped by his own personal circumstances in conjunction with the office. But both influenced the parameters of his actions and the representation of said actions in the sources.¹⁷¹

We can thus interpret the variations in titles differently, which an example can illustrate. Hans Hummer has investigated a series of *precaria* grants (which gave land to monasteries but reserved the use for

¹⁶⁷ For example, Hannig, "Zur Funktion der '*missi dominici*,'" pp. 271–2, 275–7, 298–9; Hannig, "Zentrale Kontrolle," p. 36.

¹⁶⁸ Hannig's ideas are best conveyed in: Hannig, "Zur Funktion der '*missi dominici*,'" and Hannig, "Zentrale Kontrolle."

¹⁶⁹ The Bavarian records discussed later provide plenty of examples, others are given by Hannig, and more can indeed be found in the sources.

¹⁷⁰ I would like to thank Adam Kosto for some suggestions on this point.

¹⁷¹ For some compelling observations about how Carolingian sources conceive of people in terms of office, see Patzold, "Bischöfe als Träger der politischen Ordnung," pp. 258–61.

the donors) associated with an aristocratic family in Alsace. In the face of new Carolingian efforts to regulate the holding of *precaria*, which were eagerly taken up by the abbots of Weissenburg, two men were forced to recognize Weissenburg's hold on property previously donated by their family.¹⁷² The case had been brought to a man named Otacar, potentially the future archbishop of Mainz.¹⁷³ The document itself tells us only that the case was referred to Otacar, "who acts rightly in the palace," and who thereupon delegated it to a local man named Althelmus.¹⁷⁴ As far as we can see from this limited information, Otacar was simply a person linked to the court. Hummer sees him as a "judge" and "a palace functionary."¹⁷⁵ These are reasonable suppositions, but we should be wary of concluding too much from the vague reference to "*ille qui in palatio rectum agit*." What Otacar's status was is simply unclear. Nor is there any evidence that he was acting on royal order: There is no sign that Charlemagne knew or cared about this local dispute in Alsace. But what mattered to the scribes recording the record was that Otacar acted rightly and that he was tied to the palace. Hummer's argument that Otacar had local ties, and was thus an appropriate person for the monks of Weissenburg to approach, is surely correct.¹⁷⁶ Yet, he was also useful because of these palace ties; if they did not matter, the very brief charter would not insist on them. Whoever was drawing up the charter may not have known exactly what Otacar's status at court was, but his court connection was essential.

The unusual language of this Weissenburg record reveals some key features of early medieval documents and their evidence on office holding. The unusual designation assigned to Otacar seems to me not to indicate that he had no office, but that what gave him power in this situation was his ties to court, and thus to the king. Standing behind Otacar, admittedly far behind in this case, was the king and his at least potential ability to intervene. The Weissenburg record makes its point: Otacar was useful to the monastery because he worked at the palace. If

¹⁷² *Traditiones Wizenburgenses*, ed. Doll, no. 196a, p. 403. On this case, see the related documents 197 and 199, pp. 405–6 and 409–10, respectively, and full analysis in: Hummer, *Politics and Power*, pp. 65–75, 115–27.

¹⁷³ Hummer, *Politics and Power*, pp. 124–5. For the later career of the archbishop, see Gerlich, "Die Reichspolitik."

¹⁷⁴ *Traditiones Wizenburgenses*, ed. Doll, no. 196a, p. 403: "Et hi sunt testes: Otacar, ille qui in palatio rectum agit. Ipse mandavit Althelme, ut ipse, sicut omnes nouerant, illam rem requireret, quod ita factum est."

¹⁷⁵ Hummer, *Politics and Power*, p. 124. If this is the same person as Otgar (Otacar) of Mainz, then he became a chaplain at some point: See Fleckenstein, *Die Hofkapelle*, vol. 1, pp. 58, 94, as well as the discussion in Hummer.

¹⁷⁶ Hummer, *Politics and Power*, p. 125.

we extrapolate from this record to some of the cases of inconsistent use of titles studied by Hannig we could argue that what the records are doing is indicating different aspects of the authority a person is using. Records which can refer to the same person as a count or a *missus* or by no title do not mean the titles do not matter, but that at different moments the kind of authority, or combination of offices, a person drew on or that those writing the document wanted to draw on, could differ. Using an official title can thus be seen as a way of indicating some kind of link to the court. The lack of such titles at other times does not mean the office is irrelevant, but that different aspects of the person's competence and abilities are being highlighted. Records, even documents of practice like charters, are shaped by authors for particular purposes. The variable use of titles and other ways of indicating authority should not be seen to contradict each other, but rather to reveal different ways in which the authors of the records are thinking about the people they are discussing. The use of one title and then another does not imply that the person described has ceased holding one or another office; it implies that the author of the record is presenting that person's actions in a different light.

Hannig was trying to argue against a too-institutional view of Carolingian government, where agents had offices in a bureaucratic sense. But his own analysis is still too institutional in its assumption that offices need to be consistently defined and referenced in order to mean anything. Being a count under Charlemagne did not mean that everything about aristocratic life was determined by the king. It meant that one had status, typically derived from family ties and local circumstance rather than royal designation, and ties to the court. Not everything such people did had any link to the king. Rather, they had a reciprocal relationship with the court, where they were expected to do some of what Charlemagne wanted, in return for which they received increased local status and access to the positions, booty, and lands the king handed out to those who served him. I know of no cases of aristocrats in Francia who exercised extensive power beyond a local region without some kind of royal tie.¹⁷⁷ Both pieces of the equation, local status and royal links, were essential in establishing aristocratic power in Charlemagne's empire. In this sense, office deeply mattered, but it is office of a particular kind. The variability in titles that Hannig aptly observed in Carolingian records is not, or at least not in the reign of Charlemagne, a failed royal attempt to shape local actions, but a reflection of the nature of office holding, as the

¹⁷⁷ This is not true everywhere in the Carolingian world, as Marios Costambeys has pointed out to me in connection with the duchy of Spoleto. How much this Frankish trend extended into the rest of the empire is worthy of further attention.

court sought to structure it.¹⁷⁸ There is a set of assumptions which pertained to offices, and which the Carolingian court insisted upon. Most office holders whose behavior we can trace in detail fulfilled these basic requirements. But beyond this, office as conceived of by the Carolingians left room for much flexibility, which we also see reflected in the practice of individual aristocrats. The flexibility is not a failure of control, it is itself a behavior fostered by the Carolingians. But then is this flexibility something new we can link to a direct initiative by the court of Charlemagne?

The second key part of Hannig's argument depends on his close study of the activity of particular aristocrats in particular regions, and relates to precisely this issue of the impact of Carolingian control on aristocratic activity. Hannig contends that aristocrats acted in similar ways before and after the imposition of Carolingian control, that they acted the same regardless of whether they had offices, and that they acted in their own interests. Office in a sense, according to Hannig, was a way for aristocrats to play out their own interests, sometimes for royal benefit too.¹⁷⁹ That Carolingian aristocrats acted out of self-interest is clearly true.¹⁸⁰ The point that Hannig perhaps does not fully appreciate given his regional focus is that when one considers aristocratic action on an imperial scale, not a local one, working for Charlemagne was almost always in an aristocrat's self-interest.¹⁸¹ Whether or not the Carolingian ability to reward service broke down later in the ninth century, during the reign of Charlemagne, the easiest path to success was to join the king. Indeed, the only path to imperial, rather than more local, success was to join the king.

The imperial nature of the Frankish aristocracy also undercuts any distinctions between local action and imperial action. For instance, a grant of property to Hersfeld in 802 by a group of aristocrats is an entirely typical early medieval property gift.¹⁸² It can be explained easily in terms of aristocratic patronage of monasteries. However, the people making the grant were largely counts, and thus they operated as well on an imperial scale, evident in the charter being given in a royal palace and signed by other counts and a man explicitly identified as the count and *missus* of the lord emperor Charles.¹⁸³ The mere fact of giving to Hersfeld, which

¹⁷⁸ There are some useful observations on what happened to the need for royal intervention in the post-Carolingian world in C. West, *Reframing the Feudal Revolution*, pp. 136–7.

¹⁷⁹ Hannig, "Zentrale Kontrolle," p. 45.

¹⁸⁰ The best general survey of this key point is Airlie, "The Aristocracy."

¹⁸¹ Mayr-Harting, "Alcuin, Charlemagne and the Problem of Sanctions," pp. 209–10.

¹⁸² *Urkundenbuch der Reichsabtei Hersfeld*, ed. Weirich, no. 21, pp. 37–8.

¹⁸³ *Urkundenbuch der Reichsabtei Hersfeld*, ed. Weirich, no. 21, p. 38: "Signum Wernheri comitis atque missi domni Karoli imperatoris."

received more surviving charters from Charlemagne than any other monastery except Saint-Denis, also makes this gift a political statement.¹⁸⁴ Giving such grants was customary aristocratic behavior before the Carolingians came on the scene. Yet, the language and circumstances of the grant also reveal the changed world of the early ninth century. Such a grant is still local, but it is also imperial: Supported by men who owed much of their status to Charlemagne and given in a setting whose authority stemmed from the king, to a place which likewise owed much of its prominence to that same king. The counts in the Hersfeld grant may have been behaving in similar ways as earlier aristocrats, but they were doing so in a remade political world. The contention that nothing had changed about aristocratic behavior is just not sustainable; even the same actions had new resonance under the Carolingians.

Moreover, an extensive body of regional studies now allows us to further rebut Hannig's contentions that aristocrats behaved the same regardless of offices held and that they behaved the same before and after the imposition of Carolingian control. The cumulative weight of regional studies, by scholars like Matthew Innes, Warren Brown, Hans Hummer, and others, has revealed profound effects of Carolingian control locally.¹⁸⁵ The extent does vary regionally, and historians conceptualize the nature of the changes differently, but the overall message is one of Carolingian impact. Even if one follows Matthew Innes in interpreting his evidence from the Rhineland to suggest that the Carolingians did not reshape local aristocratic actions, they just directed them to new ends, the change in focus matters.¹⁸⁶ Once aristocrats were functioning on the level of the empire, they were functioning in a world in which the key to cross-regional resources and authority went through the Carolingian dynasty. Some aristocrats no doubt carried on as before, but those who were ambitious had to work through a Carolingian framework, which changed some of the ways they acted locally, at least in certain cases, but more importantly restructured the overall context and scale of aristocratic political behavior. This research on regions thus suggests that the Carolingian kings did succeed in reshaping the workings of local power

¹⁸⁴ Charlemagne's grants to Hersfeld are: DK nos.: 89 (ChLA 12, no. 533), 90 (ChLA 12, no. 534), 103 (ChLA 12, no. 535), 104 (ChLA 12, no. 536), 105, 121 (ChLA 12, no. 537), 126, 129, 144 (ChLA 12, no. 538), 153, 198. Note too the high number of surviving original documents. In addition to those edited in ChLA, DK 129 did survive in the original (it is now destroyed and known via facsimile), as does DK 198 (the new edition of the ChLA has not yet reached this document).

¹⁸⁵ W.C. Brown, *Unjust Seizure*; Hummer, *Politics and Power*; Innes, *State and Society*; and see discussion of this body of literature in the [Introduction](#), pp. 15–16.

¹⁸⁶ Innes, *State and Society*, pp. 180–95.

in a royal framework, and thus did have an impact, albeit one shaped by local realities.¹⁸⁷ This latter view is closer to what we have seen here. Particular cases were decided in particular places based on local circumstance. But the royal framework of overlapping roles combined with a royal right to intervene served to make these local circumstances play out in a royally dominated political world. By structuring judicial action with overlapping delegation and ultimate royal intervention, Charlemagne shaped the judicial circumstances in his empire to take account of local realities and yet emphasize overall royal direction.

To the extent that Charlemagne fostered a system of royal justice, that “system” was irregular and flexible. The experience of justice would have differed profoundly across the empire. However, at the same time, the effects of royal justice were extensive. Whether it was witnesses in Bavaria enjoined to tell the truth because of the oath they swore to Charlemagne as emperor, capitulary regulations that were indeed fulfilled in practice, or a Carolingian redirection of aristocratic interaction to new ends, the Carolingian court impinged deeply on regional societies. Charlemagne expanded the duties associated with office, as we will see further in [Chapter 2](#). He then fostered a political world in which these new expectations of office could play out differently in different regions. There is thus no consistency to office holding in the realm of Charlemagne, but there is copious evidence of the importance of royal expectations in shaping local aristocratic behavior. Such expectations were articulated at assemblies and by other agents, as well as through the practice of carrying out royal commands. Charlemagne did not standardize office holding, but he did reshape it. We just need to remember that the impact of this reshaping differed, by design, in different contexts.

The overlapping we have discovered in Charlemagne’s efforts to shape the giving of justice in his empire thus was not an accident. Such overlapping in some form may be an inevitable consequence of premodern rulership, but the particular ways in which Charlemagne’s court encouraged multiple approaches to justice was an effective, if irregular, way to make coherent choices about the distribution of royal resources. This argument implies that the overlapping was thus a conscious policy adopted by the court of Charlemagne, or what I have called a pattern of rulership. While it is always difficult to demonstrate intention in terms of early medieval rulership, the argument about a favoring of overlapping can be supported especially by the prevalence of the phenomenon.

¹⁸⁷ Innes, *State and Society*, especially pp. 260–3, with further references there.

The overlapping we have examined in judicial procedures was not confined to the realm of justice; rather, judicial practice is just one manifestation of a far broader phenomenon of the court responding to problems in multiple ways at once. We can find another example in the court's approach to religious reform. In concert with his advisers, many of whom were themselves bishops, Charlemagne issued legislation spelling out the prerogatives and duties of bishops.¹⁸⁸ He encouraged bishops to issue their own capitularies regulating ecclesiastical life in their dioceses.¹⁸⁹ He held councils, offering an arena for bishops to act out some of their assigned tasks, and suggested that bishops hold their own synods (although they seem to have rarely done so).¹⁹⁰ He had Alcuin and other court clerics work through the *Dionysio-Hadriana* canon collection to pick out key provisions for him to reissue in the *Admonitio generalis*, much of which addressed the role of the bishop.¹⁹¹ Rather than choosing just one aspect of religious reform to focus on or one approach to any issue of

¹⁸⁸ To give just one example, see *Capit.* I, no. 77, c. 1, p. 170: "Ut episcopi circumeant parrochias sibi commissas et ibi inquirendi studium habeant de incestu, de patricidiis, fratricidiis, adulteriis, cenodoxiis et alia mala quae contraria sunt Deo, quae in sacris scripturis leguntur quae christiani devitare debent. Et infra illorum parrochias ecclesiae, cui necesse est, emendandi curam habeant; similiter nostras a nobis in beneficio datas quam et aliorum, ubi reliquiae praeesse videntur. Et ut monachi per verbum episcopi et per regimen abbatis et per bona illorum exempla regulariter vivant, prout loca locata sunt. Et ut prepositus et hi qui foras monasteria sunt, ne venatores habeant; quia iam frequenter iussimus, ne monachi foras monasterio habitassent."

¹⁸⁹ Eckhardt, *Die Kapitulariensammlung*, especially pp. 49–59; de Jong, "Charlemagne's Church," pp. 122–3; de Clercq, *La législation religieuse*, pp. 259–92.

¹⁹⁰ For example, the king offered many different kinds of opportunities for bishops to participate in the proceedings of the Synod of Frankfurt, which is reflected in the many documents associated with the Synod: *Concilium Franconfurtense*, no. 19, in *Conc.* II, pp. 110–71, with analysis in Berndt (ed.), *Das Frankfurter Konzil von 794*. Reminders to bishops to hold their own synods include: *Capit.* I, no. 22, c. 13, p. 55 (also ed. *AG*, c. 13, p. 190); *Capit.* I, no. 37, c. 7, p. 108. See further discussion in Chapter 5, pp. 243–59 on the kinds of synods bishops might attend, and the lack of evidence for regional synods for much of the reign.

¹⁹¹ *Capit.* I, no. 22, introduction, pp. 53–4 (also ed. *AG*, introduction, pp. 180–4) explains the method, and on the royal court's use of Roman canonical material generally, see Mordek, *Kirchenrecht und Reform*, pp. 151–62. On debates about Alcuin's possible role in compiling the *Admonitio generalis*, see Scheibe, "Alcuin und die *Admonitio Generalis*"; Bullough, *Alcuin*, especially pp. 379–84; W. Hartmann, "Die karolingische Reform und die Bibel," pp. 61–2; *AG*, pp. 47–63, and the careful account now in W. Hartmann, "Alkuin und die Gesetzgebung." On the role of the bishop: Especially, *Capit.* I, no. 22, pp. 53–62, introduction and chapters 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 19, 21, 24, 28, 30, 37, 41, 44, 49, 56, 57, 59, 60, 61, 62, 70, 76, 82 (also ed. *AG*. In this edition, the numbering differs after chapter 59. The first part of the list is thus the same; from c. 60 on, the new edition has: Introduction to the second part of the capitulary, 60, 61, 68, 74, 80). This list is based on chapters that make direct reference to bishops in their content (rather than the attributions found in some manuscripts), and excludes general provisions applying to all clerics.

religious reform, the king and his court pursued the reform on many levels in many ways all at once. As we saw in the case of judicial matters, this approach was necessarily repetitive, and often inefficient and disorganized. On the other hand, it offered the king and his court the potential to pursue many avenues of reform, to keep his agents working in many directions at once, and offered a flexible approach to religious reform. What it may have lost in organization, it gained in flexibility and creativity. Judging from the sophistication of Carolingian religious life in the generations following Charlemagne it was a successful approach.¹⁹²

This tendency to approach problems in many ways at once can be discovered in a great range of Charlemagne's activities. The mustering of the army, for example, did not follow one set form, but happened in several different ways.¹⁹³ The main methods depended on *missi*, local counts, or men's own lords to call the troops together.¹⁹⁴ We have evidence for all of these ways of mustering the host.¹⁹⁵ What we do not know, however, is how the various techniques were meant to combine and who decided what approach to use when.¹⁹⁶ The various methods created a potential situation where one particular soldier could conceivably be called up by more than one authority.¹⁹⁷ Who he was to answer to or how this was regulated is unclear.¹⁹⁸ We have less information here than we do for the judicial system, but it is possible the court adopted a similar approach in that various authorities were given the same task, that of mustering the host, and were expected to cooperate and figure out any problems that

¹⁹² See also McKitterick, *The Frankish Church*, p. 12 on Charlemagne as the prompt for later reform.

¹⁹³ Ganshof, *Frankish Institutions*, pp. 59–64.

¹⁹⁴ Troops gathered by *missi*: *Capit.* I, no. 50, pp. 137–8; by count: *Capit.* I, no. 74, c. 9, p. 167; by lords: *Capit.* I, no. 75, p. 168, lines 18–25. Part of the problem is our lack of information on who exactly was meant to serve. For one recent discussion of this oft-debated and still unresolved problem, see Renard, “La politique militaire.”

¹⁹⁵ In addition to the examples given in Note 194, see discussion in Coupland, “The Carolingian Army and the Struggle Against the Vikings,” pp. 54–6.

¹⁹⁶ *Capit.* I, no. 50, c. 3, p. 137, for example, seems to envision conflicting orders for a mobilization. See full discussion of overlapping methods in France, “The Composition and Raising.”

¹⁹⁷ See, for example, the different ways of calling up soldiers in *Capit.* I, no. 77, c. 9, p. 171: “De hoste pergendi, ut comiti in suo comitatu per bannum unumquemque hominem per sexaginta solidos in hostem pergere bannire studeat, ut ad placitum denuntiatum ad illum locum ubi iubetur veniant. Et ipse comis praevideat quomodo sint parati, id est lanceam, scutum et arcum cum duas cordas, sagittas duodecim. De his uterque habeant. Et episcopi, comites, abbates hos homines habeant qui hoc bene praevideant et ad diem denuntiati placiti veniant et ibi ostendant quomodo sint parati. Habeant loricas vel galeas et temporalem hostem, id est aestivo tempore.”

¹⁹⁸ As it is, for example, in *Capit.* I, no. 25, c. 6, p. 67.

arose, with reference to the king if necessary.¹⁹⁹ The situation in the military realm is complicated by the fact that the mobilization orders we do have are specific to a particular situation; we have fewer general rulings than we do in the judicial context.²⁰⁰ Thus, it is possible that the king organized certain campaigns in different ways in response to the circumstances of that particular campaign.²⁰¹ However, even taking this into account, the various mobilization orders do make clear that there was more than one possible way to gather the army and that the responsibility for this key task was shared among many individuals.²⁰²

The preference to do things in many ways is evident beyond the judicial, religious, and military realms. We can perceive a similar phenomenon in numerous other aspects of life in the empire, and will have cause to consider the issue in terms of the managing of diversity in [Part II](#). Rather than listing all cases of overlapping here, we should note the implications of the pattern. When faced with a problem or necessary task, the response of Charlemagne and his court was to attack the issue with multiple approaches, not just one. This avoided the problem of placing all one's eggs in one basket; a failed approach could be easily circumvented. On the other hand, this preference for overlapping created tremendous inefficiency and irregularity in Carolingian governance. Yet, the preference for overlapping appears in many aspects of rulership, in many different kinds of sources, and spread out chronologically throughout the reign. It was not an occasional feature of Charlemagne's rulership, but a defining characteristic.

Reading the capitulary legislation on justice one is struck at first by both the high ambitions and the seeming disarray in the logical conceptualization of judicial service. How can we reconcile a body of normative ideals that asks for so much from agents and yet at the same time seems to confuse what is expected of them? The argument of this chapter is that there is no ultimate contradiction between the ambition and the fuzziness of conception, and that the combination is not accidental. What the

¹⁹⁹ Cooperation: *Capit.* I, no. 50, c. 8, p. 138, with the provision of mobilization orders to the count, the regular *missus*, a special *missus*, and the court; reference to the king: *Capit.* I, no. 33, c. 34, p. 97.

²⁰⁰ Specific mobilization order: *Capit.* I, no. 49, c. 2, p. 136. It is more typical for the capitularies to present commands which were meant to be permanent in general terms, a sign perhaps of the continuing oral elements in Carolingian governance, which the emphasis on writing never entirely subsumed. The matters the court wanted people to remember for a long time were thus kept simple and direct. See further discussion of literacy and orality in [Chapter 6](#), pp. 312–22.

²⁰¹ Charlemagne's strategic abilities buttress this point; on strategy, see, for example, Fouracre, "Frankish Gaul to 814," pp. 102–4.

²⁰² See also Halsall, *Warfare and Society*, pp. 94–5.

judicial legislation reveals is an intentional effort to foster overlapping, one which we can see carried out in practice, via records of dispute settlement, and in the details of an extraordinary individual's career. Moreover, this preference for overlapping is not simply a function of judicial matters, but is evident in numerous aspects of Charlemagne's rulership. Rather than choosing one path, the king chose several at once. Doing so allowed him to guard against overmighty aristocrats, to provide flexibility to those anxious to serve him, and to husband his resources. The overlapping that at first glance seems to convey a lack of governmental competence on closer examination reveals itself as a strategic approach to managing a vast and diverse empire. A similarly strategically calibrated response to political challenges is evident in Charlemagne's efforts to discipline the men who served him. We turn now to these questions of controlling those to whom the king delegated power.

2 Disciplining royal agents

The problem of royal agents

Once Charlemagne sent off his agents to carry out their overlapping tasks throughout his empire, his problems controlling agents were hardly over. No matter how much he might minimize potential difficulties by assigning the same tasks to multiple people in the hope that someone would eventually do it properly, the king would inevitably run into aristocrats who did a bad job with the offices they claimed. Yet the agents the king needed to supervise and correct were often far from royal oversight and powerful in their own right.¹ How then did Charlemagne try to control them? Did these aristocrats ostensibly serving the king actually function as accountable agents? This chapter will take up these questions about royal service and office by examining a particularly acute problem of official management, namely, the extent to which Charlemagne was able to remove his agents from their *honores*.² Our investigation of techniques for handling those who did not do as they were told³ will allow us to draw some conclusions about whether or not Carolingian agents were accountable officials or just aristocrats who sometimes chose to work for the king.⁴ This analysis of Charlemagne's efforts to oversee his agents will also help nuance our understanding of the king's strategies of rulership.

¹ And numerous. There were about 600 counts in the empire, and these will be our primary focus in this chapter. For the estimate, see K.F. Werner, "*Missus-marchio-comes*," p. 191 (p. 108 in the reprint). Many estimates of the number of counts have been offered, including others by Werner himself. I think this guess is at least a reasonable starting point.

² I will focus here on the claimed right to dismiss agents, and actual cases of dismissal and correction. For the language and rituals of such dismissals, see Depreux, "*Investitures et destitutions aux temps carolingiens*"; and see also his "*Les récits d'investiture*."

³ I am interested here in depositions of counts, not religious figures. For discussion of conflicts with bishops and what these can tell us about Carolingian governance, see Airlië, "*Not Rendering unto Caesar*."

⁴ A particularly important issue given arguments that such accountability did not exist before the twelfth century, for example, Bisson, *The Crisis of the Twelfth Century*.

To understand more fully how the king worked through his agents we need to think about the tools available to Charlemagne in his efforts to control such agents. It is not an accident that often the best examples of effective royal servants we can discover were *missi*. The king was able to choose *missi* of his own volition and their terms of office, to the extent that such existed, were (usually) limited.⁵ What could be done, though, with more local officials, who did most of the actual work of administration?

One way to measure royal effectiveness is to gauge the power of the king to appoint and dismiss his own officials freely.⁶ This metric for assessing effectiveness has loomed large in Carolingian political history particularly because of the role the issue has played in the assessment of Charles the Bald's reign.⁷ Historians have traditionally interpreted Charles's regulation in 877 that the son of a count should inherit his father's office as a matter of course, at least until the king was able to investigate the matter, as an abdication of royal authority and the first step down the slippery slope leading to feudalism and the inheritance by lordly families of what had been royal prerogatives.⁸ More recent scholarship, especially the work of Jinty Nelson, has argued for a more positive assessment of Charles' abilities and a less pessimistic interpretation of the regulation on inheritance of office, seeing it as stemming from specific and limited political circumstances.⁹ Regardless of one's

⁵ For the classic statement on the competence of the *missi*, see Ganshof, *Frankish Institutions*, pp. 23–6.

⁶ The importance of this matter, and the careful balancing of royal and aristocratic prerogatives it necessitated, is thoughtfully discussed in Airlie, "The Aristocracy," pp. 443–5.

⁷ See the even-handed formulation of the problem in McKitterick, *The Frankish Kingdoms*, pp. 183–4. The classic study on Charles' relationship with the nobility is Classen, "Die Verträge von Verdun und von Coulaines."

⁸ As is suggested by Ganshof, *Feudalism*, pp. 54–9. For the text of the law itself: *Capit. II*, no. 281, c. 9, p. 358: "Si comes obierit, cuius filius nobiscum sit, filius noster cum ceteris fidelibus nostris ordinet de his, qui illi plus familiares et propinquiore fuerint, qui cum ministerialibus ipsius comitatus et episcopo ipsum comitatum praevideat, usque dum nobis renuntietur. Si autem filium parvulum habuerit, isdem cum ministerialibus ipsius comitatus et episcopo, in cuius parochia consistit, eundem comitatum praevideat, donec ad nostram notitiam perveniat. Si vero filium non habuerit, filius noster cum ceteris fidelibus nostris ordinet, qui cum ministerialibus ipsius comitatus et episcopo ipsum comitatum praevideat, donec iussio nostro inde fiat. Et pro hoc nullus irascatur, si eundem comitatum alteri, cui nobis placuerit, dederimus quam illi, qui eum hactenus praevidit."

⁹ Nelson, *Charles the Bald*, generally offers a positive view of Charles, and for her interpretation of the Capitulary of Quierzy, pp. 248–51. Arguing from a different angle, see Magnou-Nortier, *Foi et fidélité*, p. 118 and Bourgeois, *Le capitulaire de Kiersy-sur-Oise (877)*, in particular pp. 127–54 focusing on chapter 9 of the capitulary.

evaluation of Charles the Bald's effectiveness as a ruler, a king's ability to choose his own officials seems a reasonable way of monitoring his independence of action.¹⁰

The general picture suggests that for the reign of Charles the Bald sons would typically succeed to their father's county.¹¹ We know less about appointment under Louis the Pious, but we can evaluate a number of famous stories of Louis the Pious removing agents from their duties. The most complete analysis of these incidents is that of Adelheid Krah. Krah has discovered twenty-one cases of agents removed from their positions under Louis.¹² The largest group of office holders who lost their *honores* were those involved in the civil wars that disrupted the last half of Louis's reign.¹³ Another group of agents lost their positions as a result of their involvement in the revolt of Bernard of Italy.¹⁴ It is the remaining seven cases of those not obviously involved in civil war and revolt that are the most interesting. The first of these concerns Adalhard of Corbie, the loyal (usually) and powerful servant of Charlemagne.¹⁵ Louis sent Adalhard back to his monastery from court in the course of changing the guard after assuming power upon the death of his father.¹⁶

¹⁰ For the long term importance of the issue see Lot, "La nomination du comte," especially p. 283 (p. 224 in the reprint) on the Carolingians. For Charlemagne's limited and uneven involvement in the selection of bishops, see Schieffer, "Karl der Große und die Einsetzung," and now comments of Nelson, "Charlemagne and the Bishops."

¹¹ Airlie, "The Aristocracy," p. 444, with due attention to royal patronage. See also Stone, *Morality and Masculinity*, pp. 148–52.

¹² Krah, *Absetzungsverfahren*, pp. 40–82, 380–2. She lists twenty incidents, but involving twenty-one individuals.

¹³ *Ibid.* Krah includes in this category Louis' sons Pippin I of Aquitaine and Louis the German, who were both deprived of particular offices at various points, and their partisans Wala, Bernard (of Septimania) the chamberlain, Lambert count of Nantes, Richard the ostarius, Donatus count of Melun, Ruadker count around Linzgau and Argengau, and Bernhard and Emeso counts in Poitou. Bernard of Septimania certainly was out for himself, but Krah is correct to link these people to the turmoil caused by Louis' battles with his sons. Krah also includes a number of other aristocrats who were removed from their positions by Louis's sons in the course of the same struggles; Krah, *Absetzungsverfahren*, p. 382.

¹⁴ Bernard's rebellion in 817–18 was reported by the Royal Frankish Annals s.a. 817, pp. 147–8, and the Chronicle of Moissac s.a. 817, pp. 312–13 (re-edited in Kettemann, "Subsidia Amianensia," part 2, pp. 135–7 and in Kats and Claszen, "Chronicon Moissiacense Maius," part 2, pp. 149–50); and on this revolt see Noble, "The Revolt of King Bernard"; Jarnut, "Kaiser Ludwig der Fromme und König Bernhard"; Depreux, "Das Königtum Bernhards." There were other office holders who died during the rebellion, who presumably would also have been deprived of their offices; Krah, *Absetzungsverfahren*, p. 80. This list, of course, excludes bishops involved in these events, like the famous example of Theodulf of Orléans.

¹⁵ On Adalhard, see Kasten, *Adalhard*.

¹⁶ Overview in Krah, *Absetzungsverfahren*, pp. 43–5, with reference to further literature; see also the survey of aristocratic factions in K. Brunner, *Oppositionelle Gruppen*, pp. 96–119.

Another three people lost their offices for (ostensibly) failing in their military duties, namely, Hugh, Matfrid, and Balderich of Friuli.¹⁷ Two further cases were of a Goth and a Gascon deposed for treason, within the context of Frankish efforts to integrate their home regions into the empire.¹⁸ The final case involves Sigiwinus of Bordeaux. The sources tell us only that he was deposed for “moral failings.”¹⁹ Krah interprets his case as resting on deeper political issues involving Carolingian control in the South, and this is indeed possible, particularly since his deposition led to a Southern rebellion.²⁰ I think we must admit, however, that the full story of what Sigiwinus did is simply inaccessible to us. Nonetheless, the twenty-one instances explored by Krah allow us to draw some conclusions about Louis the Pious’ efforts to depose agents. First, the most common context for Louis’ efforts to deprive agents of their offices involved either civil war or rebellion, which is typical generally of early medieval rulers.²¹ Second, as Krah notes, Louis deposed a number of major aristocrats and a number of Franks.²² Third, Louis did remove from office a fair number of people, particularly given the status of those he chose to deprive of their honors. Finally, the depositions did not always go smoothly. For instance, Hugh and Matfrid were later deeply involved in the civil wars on the side of

¹⁷ Krah, *Absetzungsverfahren*, pp. 57–63; de Jong, *The Penitential State*, pp. 38–43. For biographical sketches of all three, see Depreux, *Prosopographie*, pp. 119, 262–4, 329–31. For analysis of both episodes, see Stieldorf, “Adel an der Peripherie,” pp. 228–32 on Balderich and 234–7 on Hugh and Matfrid, and on Balderich, see Hlawitschka, *Franken, Alemannen*, pp. 146–7. For a compelling argument that Balderich’s fault was more personal and related to internal politics, rather than military, see Stieldorf, “Adel an der Peripherie,” pp. 230–1. Elsewhere, however, she does put more emphasis on the military aspect, while still acknowledging political factors: Stieldorf, *Marken und Markgrafen*, pp. 375–7.

¹⁸ Krah, *Absetzungsverfahren*, pp. 53–7.

¹⁹ Astronomer, *Vita Hludowici imperatoris*, c. 26, p. 364; Royal Frankish Annals s.a. 816, p. 144.

²⁰ Krah, *Absetzungsverfahren*, pp. 52–3; see also Auzias, *L’Aquitaine carolingienne*, pp. 85–7 (93–4 in the reprint); for the consequences, see the Astronomer, c. 26, p. 364 and Royal Frankish Annals s.a. 816, p. 144. Many of the rebellions did have Southern roots; on some of these complicated Southern circumstances, see the overview in d’Abadal I de Vinyals, “La Catalogne,” vol. 5, pp. 147–77.

²¹ Nelson, “Kingship and Royal Government,” p. 415, notes several instances of dismissal of counts by early medieval rulers, and that most of these cases involve rebellion. It is entirely possible that there were other issues lying behind the depositions of Hugh and Matfrid, but this does not change the point that the public reason for the depositions was military failure. For discussion of whether or not Hugh and Matfrid were actually responsible for the crimes they were accused of, see the varying opinions expressed by de Jong, *The Penitential State*, pp. 148–50; Depreux, “Le comte Matfrid,” pp. 354–9; Collins, “Pippin I and the Kingdom of Aquitaine,” pp. 376–9. On the reasons for deposition generally, see Stieldorf, “Adel an die Peripherie.”

²² Krah, *Absetzungsverfahren*, p. 81.

Lothar.²³ Louis may have succeeded in removing them from their offices, but in so doing he made some powerful enemies.

Charles' efforts to provide some structure to the inheritance of office and Louis' frequent dismissal of agents create the poles around which most historiography on Carolingian treatment of counts has revolved. Unfortunately, we do not have quite as clear a picture of Charlemagne's management of his counts. However, scholarship is increasingly focusing on particular regions of the empire, and examining how local institutions linked into royal ones.²⁴ As this work continues, we are likely to arrive at a clearer sense of how much Charlemagne intervened in appointments, and how much was left to local arrangements. To the extent that we can observe the basic outlines of this research thus far, it does seem that the king chose (or recognized) counts from the localities they served in, from among families of influence, but usually confined himself to rubber stamping the winner of local jockeying for power, at least in Francia itself (conquered regions more frequently received officials imposed by the king, as we will see later).²⁵ We might best imagine Charlemagne recognizing those who claimed for themselves the office of count, rather than trying to hand out a title without the agency of the recipient. On the whole, Charlemagne was not trying to change anything about who served as counts; rather, as I will argue, he was trying to change what those counts did once they were established in their positions, trying to encourage those who saw themselves as counts in particular kinds of political behaviors. The precise mechanism for recognizing a count during Charlemagne's reign is unclear, as opposed to the selection of lesser royal servants, which the king expected to supervise via his *missi*, although he himself did not choose individual agents.²⁶ The delegation of comital selection to local negotiation does make a good deal of sense, as it would not necessarily have been a productive use of time or resources to attempt to interfere in such decisions.²⁷ Furthermore, a royally imposed count could be seen as an outsider and could thus be

²³ In addition to the references in [Note 21](#), see the investigation of possible corruption by Matfrid (recorded in Louis' capitulary, *Capitulare missorum*, *Capit.* II, no. 188, c. 3, p. 10), and the comments of de Jong, *The Penitential State*, pp. 38–43, 85–7, 144–5, 148–53; Depreux, “Le comte Matfrid,” pp. 355–68.

²⁴ See discussion of this literature in the [Introduction](#), pp. 15–16.

²⁵ Airlie, “The Palace of Memory,” pp. 8–9; on the importance of local circumstances, see Innes, *State and Society*, pp. 185–7, 253–4, 259–63 on kings working with local power networks.

²⁶ For example, *Capit.* I, no. 62, c. 22, p. 151.

²⁷ See Nelson, “Kingship and Royal Government,” p. 413 for some pertinent remarks on inheritance of office and how “kings worked with the grain of their society.”

unable to manage local affairs.²⁸ Once the counts were in place, however, could Charlemagne dismiss them at will for poor performance of their duties? We should not discount the royal ability to bestow patronage in the form of office, nor should we overlook the force of the potential removal of royal favor, even if the power was rarely exercised, as tools for encouraging counts to do as the king wished.²⁹ Nonetheless, while a count or other agent might be chastised for failing to do his job, and in particular, failing to give justice, the possibility of stronger punishment requires careful investigation.³⁰ Although we lack the kind of high profile cases found during the reign of Louis, we do have some evidence on this topic for Charlemagne's reign.³¹ It suggests most powerfully that this is the wrong question to ask about Charlemagne's governance. Yet, by examining the issue more closely we can discover some key trends in how Charlemagne attempted to discipline royal agents.

The management of counts

Let us begin with the most directly royal aspect of the management of counts, namely, the approach taken to counts in the capitularies.³² The king rarely explicitly asserts that he has the power to dismiss counts.³³ This does not mean, however, that he left the institution to go its own way. On the contrary, a count working under Charlemagne would have found his experience of royal service radically different from that of his predecessors.³⁴ Capitularies issued by the Merovingians or by the early Carolingians as either mayors of the palace or king only occasionally mention comital behavior.³⁵ And when they did, the instructions focused on broader concerns, such as justice, rather than specifically the role of

²⁸ Using agents with local ties is seemingly part of the idea behind the 802 reforms; see also Ganshof, *Frankish Institutions*, p. 26. On the geography of some *missatica* and their *missi*, see Eckhardt, "Die Capitularia missorum specialia," pp. 505–7.

²⁹ Both are emphasized by Mayr-Harting, "Alcuin, Charlemagne and the Problem of Sanctions," pp. 209–10.

³⁰ For example, *Capit.* I, no. 85, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–102).

³¹ For some interesting observations on this power under Louis and later rulers, see Innes, "Charlemagne's Government," p. 87.

³² The king and court dealt with most administrative matters in the capitularies: Ganshof, "The Institutional Framework of the Frankish Monarchy," p. 102.

³³ For the key explicit cases where Frankish counts are directly threatened with loss of office, see further pp. 111–15.

³⁴ Royal regulation of the comital office did begin before Charlemagne (Ganshof, "The Institutional Framework of the Frankish Monarchy," p. 90), but was far more intense during this reign than previously.

³⁵ For the Merovingians: *Capit.* I, no. 4, c. 8, pp. 9–10. See also a reference to dukes in *Capit.* I, no. 7, c. 3, pp. 15–16, who served functions similar to those of counts in the

counts in particular matters.³⁶ Charlemagne too was interested in counts in the context of justice, but he was also interested in comital behavior in a much wider sense and in far more specific terms.

Charlemagne legislated on counts frequently.³⁷ His legislation presents a guide for appropriate comital behavior, and it is an extensive one. Counts are first and foremost to provide justice.³⁸ To that end, the court reminded counts of the high spiritual responsibility of those who judge.³⁹ The king and his advisers ordered counts to have good and able subordinates.⁴⁰ Counts must hear the cases of the poor and weak first.⁴¹ They cannot go hunting on days they are meant to give justice.⁴² They cannot accept bribes in any judicial matter.⁴³ The capitularies go on at length about the procedures for mustering the army, and who can lawfully be left behind.⁴⁴ They note appropriate practices for handling

Merovingian period. There are also administrative arrangements relating to judges, *centenarii*, and once to *missi* in this earlier legislation, but here too the scale of interest changes under Charlemagne. For the earlier Carolingians: *Capit.* I, no. 10, c. 5, p. 25; *Capit.* I, no. 11, c. 1, pp. 27–8; *Capit.* I, no. 12, introduction, p. 29, c. 10, p. 30; *Capit.* I, no. 13, c. 3, c. 7, pp. 31–2; *Capit.* I, no. 14, c. 23, p. 37.

³⁶ Kroeschell, “Recht und Gericht,” especially pp. 748–61; Woll, *Untersuchungen zu Überlieferung*, pp. 76–86. Neither Kroeschell nor Woll argues that the Merovingian legislation does not focus on counts, but both provide a good survey of the interests of the Merovingian capitularies, particularly in terms of justice.

³⁷ Including: *Capit.* I, no. 20, c. 21, p. 51; *Capit.* I, no. 21, p. 52 (also ed. Mordek, “Karls des Großen zweites Kapitular,” pp. 50–2); *Capit.* I, no. 25, c. 2 and c. 4, pp. 66–7; *Capit.* I, no. 33, chapters 25, 28, and 29, p. 96; *Capit.* I, no. 57, c. 2, p. 144; *Capit.* I, no. 62, c. 11, p. 150, c. 22, p. 151; *Capit.* I, no. 64, c. 2, p. 153; *Capit.* I, no. 80, c. 12, p. 177.

³⁸ *Capit.* I, no. 33, c. 25, p. 96; *Capit.* I, no. 35, c. 48, p. 104; *Capit.* I, no. 41, c. 8, p. 118; *Capit.* I, no. 49, c. 1, p. 135; *Capit.* I, no. 52, c. 3, p. 139; *Capit.* I, no. 57, c. 4, p. 144; *Capit.* I, no. 60, c. 3, p. 147; *Capit.* I, no. 61, c. 7, p. 149; *Caroli Magni capitulare ecclesiasticum*, c. 41 (ed. Mordek, *Bibliotheca*, p. 989); *Caroli Magni capitulare generale*, c. 25 (ed. Mordek, *Bibliotheca*, p. 993).

³⁹ *Capit.* I, no. 121, p. 240, lines 18–24: “Duces, comites et iudices iustitiam faciat populos, misericordiam in pauperes, pro pecunia non mutet aequitates, per odia non damnent innocentes. Illa apostolica semper in corde teneant, qui ait: ‘omnes nos stare oportet ante tribunal Christi, ut recipiant unusquisque prout gessit, sive bonum sive malum’; quod Dominus ipse ait: in quo iudicio iudicabitur, iudicabitur de vobis; id est: ‘misericorditer agite, ut misericordiam recipiatis a Deo’. ‘Nichil occultum quod non sciatur, neque opertum quod non reveletur’; et ‘pro omni otioso verbo reddimus rationem in die iudicii’.” See also discussion of judicial responsibility in [Chapter 1](#).

⁴⁰ *Capit.* I, no. 62, c. 22, p. 151.

⁴¹ *Capit.* I, no. 23, c. 17, p. 63; *Caroli Magni capitulare generale*, c. 16 (ed. Mordek, *Bibliotheca*, p. 992; here cases of the church are to be heard first then those of the poor).

⁴² *Capit.* I, no. 49, c. 1, p. 135; *Capit.* I, no. 23, c. 17, p. 63.

⁴³ *Capit.* I, no. 61, c. 7, p. 149; *Capit.* I, no. 78, c. 10, p. 174; *Capit.* I, no. 80, c. 3, p. 176; *Capit.* I, no. 85, c. 2, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 100–1); *Caroli Magni capitulare generale*, c. 17 (ed. Mordek, *Bibliotheca*, p. 992).

⁴⁴ *Capit.* I, no. 25, c. 6, p. 67; *Capit.* I, no. 49, c. 3, p. 136; *Capit.* I, no. 50, chapters 3, 4, 7, and 8, pp. 137–8; *Capit.* I, no. 54, preface, p. 141; *Capit.* I, no. 73, c. 6, p. 165; *Capit.* I, no. 77, c. 9 and c. 10, p. 171.

criminals in an immunity, an area free from the interference of anyone other than the immunity holder and the king himself.⁴⁵ The king and court used capitularies to remind counts of their duty in ensuring the integrity of royal lands.⁴⁶ In performing these duties, the counts were hardly left to their own devices, for the king and court repeatedly enjoin the necessity of cooperation with the local bishop upon all counts in the strongest terms.⁴⁷ Finally, everything the count does is open to supervision and correction by the *missi*.⁴⁸ The ultimate threat against counts as it appears in the capitulary legislation is not usually loss of office, but referral to the king for correction of any dereliction of duty.⁴⁹ Taken together, these rules of comital action add up to a definition of the comital office. Charlemagne had ambitious expectations for local governance, in which he wanted all of his counts to participate. The strongest message of the capitularies is that Charlemagne has undertaken to define the office and duties of a count, and has sent out his *missi* to enforce this definition.⁵⁰ The new regime brought with it, at least by the 790s, a new understanding of comital office.⁵¹ It may have been as a result of these changes that the question of whether the king would think

⁴⁵ *Capit.* I, no. 20, c. 9, p. 48; *Capit.* I, no. 39, c. 2, p. 113.

⁴⁶ *Capit.* I, no. 33, c. 39, p. 98.

⁴⁷ *Capit.* I, no. 22, c. 62, p. 58 (also ed. *AG*, c. 61, pp. 210–12); *Capit.* I, no. 33, c. 14, p. 94 (the chapter is re-edited in Mordek, “Quod si se non emendent, excommunicentur,” p. 180); *Capit.* I, no. 34, c. 18a, p. 101 (also ed. Eckhardt, “Die Capitularia missorum specialia,” p. 503); *Capit.* I, no. 35, c. 31, p. 103; *Capit.* I, no. 69, c. 4, p. 158; *Capit.* I, no. 78, c. 9, p. 174; *Caroli Magni capitulare generale*, c. 1, c. 2 (ed. Mordek, *Bibliotheca*, p. 990).

⁴⁸ *Capit.* I, no. 23, c. 27, p. 64; *Capit.* I, no. 25, c. 5, p. 67; *Capit.* I, no. 85, introduction, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–100). Counts are also exposed to possible episcopal correction for their misdeeds, as in *Caroli Magni capitulare generale*, c. 34 (ed. Mordek, *Bibliotheca*, p. 994).

⁴⁹ *Capit.* I, no. 44, c. 12, p. 124; *Capit.* I, no. 69, c. 7, p. 159; *Capit.* I, no. 85, introduction, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–100); *Capit.* I, no. 94, c. 12, pp. 199–200; *Caroli Magni capitulare ecclesiasticum*, c. 43 (ed. Mordek, *Bibliotheca*, p. 989). On Charlemagne as the highest judge, see also Le Jan, “Justice royale,” p. 58.

⁵⁰ For an example of *missi* enforcing these standards of comital behavior: *Capit.* I, no. 85, introduction, p. 183, line 39, p. 184, lines 1–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–100; citation is from the MGH edition): “Nos igitur in ipsa legatione positi, idcirco ad vos hanc direximus epistolam, ut vobis et ex parte domni imperatoris iuberemus et ex nostra parte exortando precaremur, ut de omni re, quantum ad ministerium vestrum pertinet, tam ex his quae ad Dei cultum quamque ex his quae ad domni nostri servitium seu ad christiani populi salvationem vel custodiam pertinet totis viribus agere studeatis.” For a discussion of whether office is an appropriate word for royal service under Charlemagne, see pp. 118–27.

⁵¹ The problem here is that we know about efforts to regulate comital behavior through the capitularies, which leaves us with the eternal question of whether the sources change or practice changes around 790. As I will argue in [Chapter 7](#), pp. 362–3, there is a real change around 790. However, Charlemagne’s interest in regulating comital behavior is clear from quite early on, with legislation on counts in the early capitularies (*Capit.* I,

to dismiss counts could be posed more sharply. It is not that all the rules prescribed by Charlemagne are new, many indeed are not.⁵² But the combination of them, and their regular announcement, adds up to a kind of blueprint for counts, which in its extensiveness, checks and balances, and high ambitions is a departure in the Frankish royal approach to comital management. Charlemagne promoted a definition of office for his counts, which they were clearly meant to follow.

Such a forceful understanding of office does not tell us, however, what was done with counts who did not follow the new rules. The normative regulations set out in the capitularies do foresee such an eventuality. The proposed remedy is correction by the *missi*.⁵³ The evidence of governance in practice provides many demonstrations of the enforcement of this normative provision. For instance, Count Milo of Narbonne was judged to have unjustly claimed property belonging to the archdiocese of Narbonne, and was forced to return the land.⁵⁴ In a similar case from Bavaria, the royal *missi* compelled Count Cotehrammus to return land to a priest named Otker so Otker could donate that land to Freising.⁵⁵ Missatival intervention could also serve to bring problematic matters to Charlemagne's attention before they became more troublesome.⁵⁶ If the process of missatival correction failed, all problems were to be made known to the king. The surviving charters provide several examples of *missi* referring matters to the king for his final decision, such as his settlement of a dispute about the monastery of Mettlach.⁵⁷ The point is also clearly announced in royal law. For instance, an early capitulary

no. 20, c. 9, 48, c. 11 [in common version, c. 12 in Lombard version], p. 49, c. 19 and c. 21, p. 51; *Capit. I*, no. 21, p. 52, lines 16–17 [also ed. Mordek, "Karls des Großen zweites Kapitular," p. 50, lines 17–18]; *Capit. I*, no. 22, c. 62, p. 58 [also ed. *AG*, c. 61, pp. 210–12]; *Capit. I*, no. 23, c. 17, p. 63; *Capit. I*, no. 25, chapters 2, 5, and 6, pp. 66–7; to give a few examples of early capitularies concerned with comital behavior).

⁵² For instance, Charlemagne's regulation that the cases of the poor be heard first (see [Note 41](#)) is an echo of Pippin's earlier ruling on this subject: *Capit. I*, no. 14, c. 23, p. 37.

⁵³ For example, *Capit. I*, no. 35, c. 59, p. 104.

⁵⁴ *Histoire générale de Languedoc*, ed. Devic and Vaissete, vol. 2, preuve 6, cols. 47–50.

⁵⁵ TF nos. 232a and b, pp. 214–15.

⁵⁶ For example, Nonantola charter of 813: ChLA 88, no. 29. It is also edited by Bougard, after the ChLA edition, with French translation: Bougard, "Adalhard de Corbie," here pp. 62–7. For analysis, in addition to Bougard, see Zoboli, *Il Monastero di San Silvestro*, pp. 123–30, with notes on pp. 139–40.

⁵⁷ DK 148. For analysis of the case, see Le Jan, "Justice royale," p. 83; Innes, *State and Society*, pp. 183–5; Raach, *Kloster Mettlach/Saar*, pp. 12–22; S. Wood, *The Proprietary Church*, pp. 217, 340–1, 779; J.R. Davis, "Charlemagne's Settlement of Disputes," pp. 162–3. The phenomenon is also evident in sources other than the diplomatic, such as a letter from Alcuin to Charlemagne, after his (Alcuin's) dispute with Theodulf, in which Alcuin discusses the visit of a royal *missus*: Letters of Alcuin, no. 249, pp. 401–4. See analysis of this case in Meens, "Sanctuary, Penance, and Dispute Settlement."

states that each man should have his own law; if a count or *missus* fails to enforce this provision, the matter should be reported to the king for remediation: “Nevertheless if a count or *missus* or whatever man does this, let it be announced to the lord king, because he wants to emend [the situation] most fully.”⁵⁸ The range of options left open to the king is not made clear; instead, the capitularies emphasize the king’s ability to punish such disobedience as he chooses without spelling out the possible punishments the king could inflict:

We decided that no count nor his [literally their] inferior should presume to draw out or compel testimony from any man, unless it is permitted to him to receive these testimonies, that is, those who are allowed to investigate and to ask [about these matters]. And if anyone should presume to contravene this [command], it is our will that he should come into our presence and there he should receive such punishment that we will have decided to judge because of this [fault].⁵⁹

The capitularies foresee dereliction of duty, but they do not elaborate upon what happens after a count was sent to the palace. We do have some information, however, from regions outside Francia and from a few exceptional cases, which, when combined with the view of countship sketched earlier, can help us understand more about royal oversight of counts.

The possibilities of discipline

Looking at how Charlemagne handled conquered regions offers us an illustrative contrast to events within Francia. Fortunately, we do know a great deal about how the Frankish comital system was introduced into conquered regions, in particular into Italy after its incorporation into Charlemagne’s realm in 774.⁶⁰ In the case of Italy, Eduard Hlawitschka

⁵⁸ *Capit.* I, no. 25, c. 5, p. 67: “Verumtamen si comis aut missus vel quislibet homo hoc fecit, fiat annuntiatum domni regi, quia ipse plenissime haec emendare vult.” Another example is *Capit.* I, no. 44, c. 12, p. 124: “De advocatis: id est ut pravi advocati, vicedomini, vicarii et centenarii tollantur, et tales eligantur quales et sciant et velint iuste causas discernere et terminare. Et si comes pravus inventus fuerit, nobis nuntietur.”

⁵⁹ *Capit.* I, no. 94, c. 12, pp. 199–200: “Placuit nobis, ut nullus comis nec iuniores eorum nullatenus presumat alicui homini sua testimonia tollere aut abstrahere, nisi permittantur ei ipsa testimonia habere qui eas potest conquirere atque rogare. Et si aliquis contra hoc facere presumpserit, nostra est voluntas, ut ipse in nostra presentia veniat et ibidem exinde talem accipiat sententiam, quomodo nostra fuerit voluntas ad iudicandum.” The king in question here is immediately Pippin, but Charlemagne was responsible for all legislation in Italy and was the ultimate authority even in his sons’ realms. See further [Chapter 5](#), p. 280.

⁶⁰ There are good general surveys in Schmid, “Zur Ablösung”; and Tabacco, *The Struggle for Power*, chapter 3. The discussion here will address Italy and Saxony, but similar

has traced how Italian office holders, dukes, gastalds, and so forth, were gradually replaced by Carolingian appointees.⁶¹ This slow process of introducing Northerners into Italian positions of power was accompanied by the transformation of the Lombard administrative system into a Frankish system of counts and *missi*.⁶² After an Italian duke died, he would often be replaced with a Frankish or other Northern count, who held (probably) smaller territories, was expected to perform all the judicial, military, and administrative functions associated with Frankish countship, and was usually supervised by *missi* directly sent by the king with wide powers of oversight.⁶³ Thus, over time, the Carolingians in Italy introduced both Northerners and a new administrative structure.⁶⁴ Furthermore, the Franks were more than willing to work with Lombard power brokers who embraced the new leadership.⁶⁵ Hildebrand of Spoleto, for example, despite his possible role in Hrodgaud's revolt, quickly and fully transferred his allegiance to Charlemagne, and was treated henceforth as a valued royal servant.⁶⁶ The Carolingian approach to Italy was to introduce the Frankish system of administration and sometimes Frankish men to enforce it, but only gradually, and slowly, unless prompted to speedy action by outright rebellion, as in 775–6 in the North of Italy.⁶⁷

arguments could be made about other regions. My focus will be on how regions were treated once they were conquered, not on those who lost status or offices during the process of conquest.

⁶¹ Hlawitschka, *Franken, Alemannen*, pp. 23–52. On gastalds: Delogu, “Lombard and Carolingian Italy,” p. 307. See also Bougard’s discussion, distinguishing between types of office holders: Bougard, “Laien als Amtsträger,” pp. 203–7.

⁶² Hlawitschka, *Franken, Alemannen*, pp. 25–30. This process was uneven and varied regionally. There is scope for further research on how this took place, particularly via the evidence of local charters. However, for our purposes here, the basic sense of slow imposition of Carolingian structures will suffice.

⁶³ Hlawitschka, *Franken, Alemannen*, pp. 25–6, on the replacements of Lombards by Franks. For some signs of this transition in action, see the reference to counts overseeing affairs in *Codex Carolinus*, letter 78, pp. 609–10, here p. 610, with analysis in Nelson, “The Settings of the Gift,” pp. 126–8.

⁶⁴ And for some remarks on the complexities of this process, see Hlawitschka, *Franken, Alemannen*, pp. 45–6. For a different interpretation, though still emphasizing a process of transformation, see Delogu, “L’istituzione comitale.”

⁶⁵ Hlawitschka, *Franken, Alemannen*, pp. 23–4.

⁶⁶ Krah, *Absetzungsverfahren*, p. 13; Hlawitschka, *Franken, Alemannen*, pp. 23–4. On Pope Hadrian’s assertion of Hildebrand’s role in the revolt of Hrodgaud, see *Codex Carolinus*, letter 57, pp. 582–3. See further discussion of Hildebrand in [Chapter 5](#), pp. 270–1.

⁶⁷ The key moment here is the revolt of Duke Hrodgaud of Friuli in 775–6 who was killed in the fighting. See Royal Frankish Annals s.a. 775 and 776, pp. 42–4; Einhard, *Vita Karoli*, c. 6, pp. 8–9, and commentary of K. Brunner, *Oppositionelle Gruppen*, pp. 43–5; Krah, *Absetzungsverfahren*, pp. 13–15. And see further pp. 136–9. The Carolingian takeover may have been gradual, but it was also thorough: Delogu, “Lombard and Carolingian Italy,” pp. 305–8. However, while many Lombards suffered during the

The picture of the introduction of the Frankish administrative machinery into Saxony is less clear, unsurprisingly given the state of the records.⁶⁸ The situation there was rather simpler, as previous Saxon organization was quite loose, involving confederations of nobles who would group themselves under a leader when military necessity required.⁶⁹ Nonetheless, the process of slow introduction of the Frankish system we noted for Italy was implemented in Saxony as well.⁷⁰ After the vicious wars and mass deportations, the Franks began to establish counts, both Franks and Saxons.⁷¹ The splitting of the Saxon nobility seems to have been a key point for the Carolingians, and allowed them to make profitable use of previous power hierarchies.⁷² The introduction of Christianity of course also played a large role in the integration of Saxony.⁷³ The imposition of Christianity by Frankish command went hand-in-hand with political control.⁷⁴ The missionary component along with the prolonged brutality of the wars, and the looser political structures in place earlier, made the takeover of Saxony more a matter of Frankish coercion and radical change than was the case in Italy.⁷⁵ But here too we can see the use of both Saxon and Frankish office holders, and an introduction of a Frankish

process of conquest, once he won, Charlemagne's interventions were typically piecemeal.

⁶⁸ M. Becher, "*Non enim habent regem*," pp. 1–4.

⁶⁹ For discussion of the nature of early Saxon political and military organization, see Goldberg, "Popular Revolt," pp. 472–3; I.N. Wood, "Beyond Satraps and Ostriches"; M. Becher, "*Non enim habent regem*."

⁷⁰ Things changed in 785, although the war dragged on. But the process of introducing Carolingian order here too was a gradual one. See Lintzel, "Die Unterwerfung Sachsens."

⁷¹ M. Becher, *Rex, Dux und Gens*, pp. 110–24; Goldberg, "Popular Revolt," pp. 475–6; Last, "Niedersachsen in der Merowinger- und Karolingerzeit," especially pp. 585–601; Schulze, *Die Grafschaftsverfassung*, pp. 274–95.

⁷² Goldberg, "Popular Revolt," pp. 476–80.

⁷³ Hauck, "Die Ausbreitung des Glaubens." Other political considerations were also important, see, for instance, Mayr-Harting, "Charlemagne, the Saxons." And for the slow establishment of the episcopal system in Saxony, Carroll, "The Bishoprics of Saxony," and more specifically for a variety of opinions on the timing of the foundation of the Saxon bishoprics, see Patze, "Mission und Kirchenorganisation," pp. 674–89; Müller, *Die Entstehungsgeschichte der sächsischen Bistümer*; and for the suggestion of some early foundation dates: Honselmann, "Die Bistumsgründungen in Sachsen."

⁷⁴ Carroll, "The Bishoprics of Saxony," pp. 220–2. Although both the takeover and the missionary work developed only in stages: Kahl, "Karl der Grosse und die Sachsen."

⁷⁵ The clearest demonstration of this is in the legislation in *Capit. I*, no. 26, pp. 68–70, with its frequent imposition of the death penalty for seemingly minor offences, although these punishments were later lightened in *Capit. I*, no. 27, pp. 71–2. See now the interesting interpretation of the first Saxon capitulary by Schubert, "Die *Capitulatio de partibus Saxoniae*," and the discussion of its forceful approach to conversion in Effros, "De *partibus Saxoniae* and the Regulation of Mortuary Custom."

administrative system, even if more savagely and quickly than in Italy.⁷⁶ As the situation normalized, exiled and disinherited Saxons were welcomed back and reintegrated into Carolingian Saxony.⁷⁷ Thus, we can recognize overall the same principles of introduction of Frankish agents and structures, but mitigated by some attention to local traditions, and indeed a willingness to use local structures or people when possible and useful, albeit to a lesser degree than in Italy.⁷⁸

In newly conquered border regions, Charlemagne gradually inserted Frankish agents in place of local aristocrats. On the whole, this process was slow and piecemeal, unless the king faced a revolt. But there are some exceptions to the gradual transformation of conquered regions, namely, cases of secular officials losing honors or facing correction in border regions. In the three cases of official correction I would like to consider, one office holder indeed lost his position, in the other two cases he was subject to correction. A closer look at these investigations of misconduct can tell us more about the royal reaction to agents not doing what they were supposed to.

The best documented of these cases comes from Italy.⁷⁹ In 804, in Rižana, the local population's complaints about their Duke John (and other regional authorities) brought the king's *missi* to Istria.⁸⁰ The *missi* held an inquest into the alleged abuses.⁸¹ In particular, the population

⁷⁶ For the tenor of the insistence on Frankish ways in the Saxon context see *Capit.* I, no. 26, c. 19, p. 69: "Similiter placuit his decretis inserere, quod omnes infantes infra annum baptizantur; et hoc statuimus, ut si quis infantem intra circulum anni ad baptismum offerre contempserit sine concilio vel licentia sacerdotis, si de nobile generi fuerit centum viginti solidos fisco componant, si ingenuus sexaginta, si litus trigenta."

⁷⁷ There are cases of property confiscated from rebellious Saxons being returned to their loyal children in Charlemagne's charters (DK nos. 213 and 218).

⁷⁸ Or, as Goldberg's analysis makes clear, to manipulate said structures, "Popular Revolt," especially p. 476.

⁷⁹ For discussion of the legal form of this case, see [Chapter 5](#), pp. 274–7.

⁸⁰ *I Placiti*, ed. Manaresi, no. 17, pp. 50–6 is the standard edition, but "Il placito del Risano," ed. Petranović and A. Margetić, is more accurate and I cite it here as the Plea of Rižana. There is also an edition in Guillou, *Régionalisme et indépendance*, pp. 301–7, largely followed by Esders, "Regionale Selbstbehauptung," pp. 53–64. There is additionally a more recent edition in Krahwinkler, *In loco qui dicitur Riziano*, pp. 67–81, which includes a list of all previous editions and translations (pp. 65–6). As Krahwinkler's edition is difficult to find, I will continue to cite Petranović and Margetić. I have compared this edition to Krahwinkler and there are no differences relevant for the interpretation of the text offered here, or in [Chapter 5](#).

⁸¹ "Cu(m) p(er) iussione(m) piissimi atq(ue) ex(cellentissi(mi) d(omi)ni Caroli Magni imp(er)atoris et Pipini regis filii eius i(n) Istria nos serui eo(rum) directi fuissimus, idest IZZO presbiter atq(ue) Cadolao et Aio comites"; Plea of Rižana, p. 56. Izzo's origins are unclear, Cadolao was seemingly of Alemannian descent, and Aio was a Lombard; for details on all of these officials, see Krahwinkler, *Friaul im Frühmittelalter*, pp. 220–5; Krahwinkler, *In loco qui dicitur Riziano*, pp. 121–4; Esders, "Regionale

claimed that Duke John was insisting on unheard of exactions from the villagers, humiliating them, and making it impossible for them to survive. Their only hope, they insisted, in directly quoted testimony, was for relief from the emperor; otherwise it would be better for them to die than to continue living under such oppression.⁸² The precise circumstances of the case are not entirely clear. The nationality of Duke John has been contested, but he was likely a local figure rather than a Frankish newcomer.⁸³ Most explanations of the conflict note that the region had only recently been brought under Frankish control, and, given the different social, economic, and political structures in Istria and Francia, suggest that the transition to Frankish administration (potentially in light of the wars being fought to the East of Istria) engendered conflict.⁸⁴ Paul Fouracre has proposed that the problem was the harshness of newly imposed Carolingian administration, rather than extensive differences in Carolingian and Byzantine approaches to governance.⁸⁵ Certainly, Carolingian control was experienced as coercive and aggressive in many places, and this was also likely the case in Istria. However, the differing administrative expectations were obviously part of the problem: The population explicitly contrasts their

Selbstbehauptung," p. 50, note 4. On Cadolah, see Borgolte, *Die Grafen Alemanniens*, pp. 88–90.

⁸² Plea of Rižana, p. 66: "Omnes istas angarias et sup(er)postas quae predictae sunt violenter facimus quod parentes nostri nu(m)quam fecerunt; vnde omnes d(e)uenimus i(n) paup(er)tate(m) et d(e)ridet nostros parentes et c(on)vincin(j) nostri Venetias et Dalmatias et(iam) Greci sub cuius antea fuimus potestate. Si nobis succurrit domnus Carolus imp(era)tor, possumus euad(e)re, sin aute(m) melius est nobis mori q(uam) vivere." The population was also subject to other abuses, including that the Duke had passed off their gift of horses to Charlemagne as his own; see analysis of this abuse and its remedy (requiring that gifts have name tags) in Nelson, "Charlemagne and Empire," pp. 228–9.

⁸³ The evidence is debated and various opinions offered in: Krahwinkler, *Friaul im Frühmittelalter*, pp. 211–15; Krahwinkler, *In loco qui dicitur Riziano*, pp. 111–14; Hlawitschka, *Franken, Alemannen*, pp. 211–12; Wickham, *Early Medieval Italy*, pp. 78–9. On the role of Fortunatus, Patriarch of Grado, in the proceedings, see Krahwinkler, "Patriarch Fortunatus," and for an overview of his career: Cosentino, *Prosopografia dell'Italia bizantina*, vol. 1, pp. 479–81.

⁸⁴ On some of the administrative complexities in the region see Krahwinkler, *Friaul im Frühmittelalter*, pp. 227–43; Krahwinkler, *In loco qui dicitur Riziano*, pp. 127–46; L. Margetić, "Quelques aspects du plaid de Rižana"; Esders, "Regionale Selbstbehauptung," especially pp. 64–93; Guillou, *Régionalisme et indépendance*, pp. 192–201; T.S. Brown, *Gentlemen and Officers*, pp. 123, 139, 142, 201–2; Štih, "Istria at the Onset of the Frankish Rule"; Borri, "'Neighbors and Relatives'." *Acta Histriae* 13 (2005) is a special issue devoted entirely to the *placitum*. There is also an older account in: Udina, "Il placito del Risano."

⁸⁵ Fouracre, "It Was Better in the Time of the Greeks." I am grateful to Paul Fouracre for sharing his unpublished work with me.

current circumstances with their experiences under Byzantine rule.⁸⁶ While we cannot be sure about all the details of the situation, the basic problem of oppression of the lay population is clear and so is the royal remedy. The imperial *missi* agreed with the populace and ordered John to improve his behavior. To ensure that he would do so, the Duke was made to give pledges to the locals.⁸⁷ Duke John may not have lost his office for his transgressions, but he was subject to investigation and correction by the *missi*, with the threat of losing his pledges, at a minimum, if he did not mend his ways. Louis the Pious' confirmation of the arrangements made in 804 suggests that the missatical solution worked.⁸⁸ If nothing else, the investigation of Duke John provides a useful example of the process of correction in action. It is perhaps not an accident, but a reflection of royal concerns, that the clearest aspect of the case is the process of investigation.

A second case of royal correction comes from the Carolingian South, and similarly involves a missatical investigation on royal order and the promise to restore wealth that was improperly usurped.⁸⁹ In this case from 812, men from Spain who had been given land on favorable terms to repopulate deserted areas in the South complained that the local counts were assessing unjust dues, oppressing the population through their agents, and generally infringing on their privileges. Charlemagne's response was to send a special *missus*, John Archbishop of Arles, to his son Louis, the sub-king of

⁸⁶ For instance, Plea of Rižana, p. 62: "abstulit nostro cofinos quos nostri parentes secu(n)du(m) antiqua(m) c(on)suetudine(m) ordinabant."

⁸⁷ Plea of Rižana, pp. 66–8: "Tunc previdimus nos missi domni imp(er)atoris vt Ioa(n)nes dux dedisset vadia ut o(mn)ia prelata sup(er)posta gla(n)datico, herbatico, op(er)as et collectiones, d(e) Scauis et d(e) a(n)garias uel nauigationes eme(n)dandu(m). Et ipsas vadias receperu(n)t Damianus, Honoratus et Gregorius, sed et ipse populus ipsas co(n)cessit calu(m)nias in tali vero tenore, ut a(m)plius talia no(n) perpetrasset. Et si (am)plius istas oppressiones ille aut sui hered(e)s uel austores fecerint, nostra statua c(on)pona(n)t."

⁸⁸ Louis' confirmation charter is available in *Codice diplomatico istriano*, ed. Kandler, vol. 1, no. 56, p. 128, now available online: www.scriniumadriae.it/; Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, no. 732. There are problems with the transmission of the charter, but it seems to be largely genuine. See discussion with reference to the older literature in Krahwinkler, "Patriarch Fortunatus," p. 71. Louis also continued to rely on Cadolah's advice on the region; see the Royal Frankish Annals s.a. 817, p. 145.

⁸⁹ DK 217 to counts in the Spanish march. Also edited in *Catalunya Carolingia*, ed. d'Abadal I de Vinyals, vol. II, document 2, pp. 313–14, which I cite here from p. 314: "Quam ob rem iussimus Johanne archiepiscopo misso nostro ut ad dilectum filium nostrum Lodoicum regem veniret et hanc causam et per ordinem recitaret, et mandavimus illi ut per tempore oportuno illuc veniens et [vos] in ejus presentiam venientes hordinare faciat quomodo aud qualiter ipsi Ispani vivere debeant ... Et quicquid contra justitiam eis vos aut juniores vestri factum habeatis aut si [aliquid] eis injuste abstulistis, omnia in loco restituere faciatis, sicuti gratia[m] Dei et nostram vultis abere propticiam."

Aquitaine. Louis was meant to summon the counts to his presence and to make clear to them how they were to treat the so-called *Hispani*.⁹⁰ As in the Rìzana case, the status of the area as a conquered region is important. The landowners were encouraged to claim mistreatment because they held their land through *aprisio* grants, meant to stimulate cultivation of waste lands.⁹¹ Thus a disturbance in the rights offered to those willing to settle the newly Frankish territories was not just a case of official recalcitrance, but a disruption of control over new territory.⁹² Whether Charlemagne was more annoyed by the disruption or the disloyalty is unclear.⁹³ Given the sensitive circumstances, Charlemagne worked through a *missus* and his son to encourage the counts (both Franks and locals) to amend their actions.⁹⁴ The flouting of the terms of the *aprisio* grants may not have been enough to cause the king to try to replace the counts, especially in a strategic and difficult conquered region, but he did encourage reform of their behavior.

A final case that offers us some evidence of royal reaction to agents failing to act as they should involves the duke of Toulouse, Chorso. Chorso's situation again takes us back to the Southern reaches of Frankish power.⁹⁵ Chorso was appointed duke by Charlemagne in 778, as part of the king's

⁹⁰ For an overview of the *Hispani*, see Collins, *Early Medieval Spain*, pp. 260–1.

⁹¹ As Jonathan Jarrett has noted, we should not inevitably link all *Hispani* with *aprisio* grants, nor should we assume that the grants were a royal imposition on the area. What is clear from this particular document is that however *aprisio* developed, Charlemagne had given (or confirmed for) this particular group of people privileges that were being flouted by his own agents. See Jarrett, "Settling the Kings' Lands." For the gradual development of Carolingian regulation in Catalonia, see also Depreux, "Les préceptes pour les *Hispani*"; Gravel, *Distances, rencontres*, pp. 350–5.

⁹² For the basic history of the *aprisio*, see d'Abadal I de Vinyals, "La Catalogne," vol. 4, pp. 257–72; Dupont, "L'aprision"; Lewis, *The Development of Southern French and Catalan Society*, pp. 70–4, 158–60; Collins, *Early Medieval Spain*, pp. 260–1; Rouche, *L'Aquitaine des Wisigoths*, p. 234. Chandler, "Between Court and Counts," emphasizes the *aprisio* grants as a tool for controlling counts in the first place, although see now Jarrett, "Settling the Kings' Lands," for a revisionist view of the *aprisio*. I would like to thank Jonathan Jarrett for discussion of this point.

⁹³ *Catalunya Carolingia*, ed. d'Abadal I de Vinyals, vol. II, doc. 2, p. 314: "Propterea has litteras fieri precipimus atque demandamus ut neque vos neque juniores vestri memoratos Ispanos nostros, qui ad nostram fiduciam de Ispania venientes per nostram datam licentiam erema loca sibi ad laborandum propiserant et laboratas habere videntur, nullum census superponere presumatis neque ad proprium facere permittatis quoadusque illi fideles nobis aut filiis nostris fuerunt, quod per triginta annos abuerunt per aprisionem, quieti possideant et illi et posteritas eorum et vos conservare debeatis."

⁹⁴ On the ethnic identity of the counts, see discussion in d'Abadal I de Vinyals, "La Catalogne," vol. 4, pp. 252–4; Salrach i Marés, *El procés de formació*, vol. 1, pp. 28–9. They were certainly of mixed origin, but probably largely local; see now Jarrett, *Rulers and Ruled*, p. 7.

⁹⁵ Although given the problems the Carolingians faced with officials in the South in the ninth century, Charlemagne's reign was relatively untroubled. On later official recalcitrance in the Spanish march, see Collins, *Early Medieval Spain*, pp. 253–4;

establishment of a network of loyal office holders in Aquitaine,⁹⁶ who would support his son Louis, born in that year and soon to be installed as sub-king of Aquitaine.⁹⁷ Chorso was implicated in a murky event in the 780s, involving a treacherous oath sworn to a Gascon figure.⁹⁸ We know of the situation only through the account of the Astronomer, Louis' anonymous biographer, whose account unfortunately provides little clarity, although he did depend on eyewitness testimony for some of his information.⁹⁹ In the wake of this incident Charlemagne summoned Louis to him, and subsequently Charlemagne removed Chorso and replaced him with William, later of Gellone.¹⁰⁰ Part of the problem here may have been Charlemagne's dissatisfaction with the response of the child Louis' advisers to the situation, as they seemingly had originally permitted Chorso to retain his office.¹⁰¹ Like the previous two cases, this situation involved a conquered region. Unlike the other two cases, the office holder definitely lost his position. The most significant difference was the nature of his offence. Oppressing the population was one thing, treason another. Charlemagne might urge improvement on those abusing the locals; those evincing disloyalty toward the king were more directly punished.¹⁰²

A little further light comes from another unusual situation, namely, the outright revolts of Hrodgaud, Hardrad, and Pippin the Hunchback.¹⁰³ We have been considering here processes of correction and slow mutation into a Frankish administration. However, when it came to revolt, all

Collins, "Charles the Bald and Wifred the Hairy." Generally, the amount of space devoted to revolt in Salrach i Marés, *El procés de formació*, is telling.

⁹⁶ Which is not to say that all of these people were definitely new to the region: Kasten, "Laikale Mittelgewalten," pp. 60–3.

⁹⁷ Astronomer, *Vita Hludowici imperatoris*, c. 3, pp. 290–1. Wolff, "L'Aquitaine et ses marges," p. 288, has questioned whether Chorso was really a duke, but I will use the title. See also Auzias, *L'Aquitaine carolingienne*, pp. 19–20 (p. 49 in the reprint).

⁹⁸ Astronomer, *Vita Hludowici imperatoris*, c. 5, p. 296. See analysis, and discussion of the dating, in Krah, *Absetzungsverfahren*, pp. 20–3, and Wolff, "L'Aquitaine et ses marges," p. 277. Auzias suggests that Chorso's Gascon contact was related to the former ducal family, who objected to the extent of Chorso's duchy (Auzias, *L'Aquitaine carolingienne*, pp. 34–6; pp. 59–60 in the reprint); Krah emphasizes the military situation, with attention to the oath extracted from Chorso (Krah, *Absetzungsverfahren*, p. 23). Both views are possible, but all we can see securely in the sources is that there was some kind of conflict surrounding the relations between Aquitaine and Gascony that contributed to Chorso's deposition.

⁹⁹ Astronomer, *Vita Hludowici imperatoris*, preface, p. 284.

¹⁰⁰ Astronomer, *Vita Hludowici imperatoris*, c. 5, p. 298.

¹⁰¹ Kasten, *Königssöhne*, pp. 275–6.

¹⁰² I would like to thank Jonathan Jarrett for discussing these two Southern cases with me and for bibliographical suggestions.

¹⁰³ For a full discussion of all three rebellions, and a possible fourth rebellion, see Chapter 3.

bets were off (as we will see in [Chapter 3](#)). Charlemagne did generally avoid murdering his own relatives, with two glaring exceptions, but that is about all one can say about royal mercy.¹⁰⁴ The king and his faithful supporters crushed rebellion quickly and brutally, and swiftly enacted measures to avoid further incidents.¹⁰⁵ The Carolingian dynasty was still a new monarchy under Charlemagne's reign, only seventeen years old in 768, one which still needed or felt the need to assert its authority. To that end, cases of revolt are the exception to the typical silence in the sources about dismissal of counts. Charlemagne did not merely remove ringleaders of revolts from office; he killed, exiled, or blinded them, depending on their level of involvement in the plots against him.¹⁰⁶ The generally lenient treatment of counts (and anyone else for that matter) was swiftly reversed in the case of rebellion, as we will see further in [Chapter 3](#).

Losing honors or correcting bad behavior?

The aspects of comital management we have considered here, namely, the creation of an extensive definition of comital office in the capitularies with

¹⁰⁴ The key incident for refusing to murder relatives is the revolt of Pippin the Hunchback, who was tonsured and sent to a monastery after his involvement in rebellion; see Einhard, *Vita Karoli*, c. 20, pp. 25–6 and the revision of the Royal Frankish Annals s.a. 792, pp. 91–3. The exceptions, or possible exceptions, are the sons of Carloman, who disappear from the historical record after they were handed over to their uncle during the conquest of the Lombard kingdom (see further pp. 160–1). Despite the importance of mercy as a royal virtue (Anton, *Fürstenspiegel*, pp. 80–2), Charlemagne did not always practice it. Busch's attempt to chart a transition from murder of difficult relatives to imprisonment is not entirely convincing: Busch, "Vom Attentat zur Haft." See instead the discussion of using monasteries as places of confinement in de Jong, "Monastic Prisoners or Opting Out?"

¹⁰⁵ In addition to the quick response, Charlemagne also took some steps to avoid further instances of revolt, including an effort to rework the loyalty oaths binding the population to the king: *Capit. I*, no. 25, c. 1, p. 66: "Quam ob rem istam sacramenta sunt necessaria, per ordine ex antiqua consuetudine explicare faciant, et quia modo isti infideles homines magnum conturbium in regnum domni Karoli regi voluerint terminare et in eius vita consiliati sunt et inquisiti dixerunt, quod fidelitatem ei non iurasset." See also the analysis of M. Becher, *Eid und Herrschaft*, especially pp. 195–201.

¹⁰⁶ The king punished some conspirators in all three revolts with dismissal from office; others were killed, blinded, exiled, sent to monasteries, or died in battle; see overview of punishments in Krah, *Absetzungsverfahren*, pp. 38–40, 379–80. As we will see in the discussion of revolt in [Chapter 3](#), we cannot always be certain what happened to everyone involved in revolt. Nonetheless, revolt was a clear context in which agents were deprived of offices. However, as the case of Count Theodold shows, it was possible to win forgiveness. Theodold had been implicated in the rebellion of Pippin the Hunchback, but the king restored his confiscated property in 797 (DK 181=ChLA 16, no. 637). In return for the king's generosity, a few months later Theodold gave five estates to Saint-Denis (ChLA 16, no. 638). Another example is the Lombard Aio, on whom see Krahwinkler, *Friaul im Frühmittelalter*, pp. 137–42; Hlawitschka, *Franken, Alemannen*, pp. 24, 113–14.

the potential for missatical and royal correction of ill-behaving counts, gradual introduction of Frankish offices and office holders in conquered areas, and the brutal crushing of revolt, reveal the outlines of the system of comital performance Charlemagne established, but they still do not provide much direct evidence for the dismissal of counts in Francia. The cases from Italy and the South for which we have the clearest sources are difficult to generalize from because they come from recently conquered regions, and provide more evidence for investigation than dismissal.¹⁰⁷

Efforts to catalogue agents dismissed from office, in border regions or otherwise, during the reign of Charlemagne have yielded only a few names. Krah, whose work on this issue under Louis the Pious we mentioned earlier, has undertaken a similar study for the reign of Charlemagne. Krah's investigation of the ten men removed from office in the period 768–814 implicates only those who had ruled conquered areas, such as Tassilo duke of Bavaria, or those involved in disloyalty, including Chorso.¹⁰⁸ Krah includes Odachar, who followed Charlemagne's brother's widow to Italy after she fled Francia upon the death of her husband.¹⁰⁹ I am not sure this is really a case of losing office, rather than of the man in question choosing a different side, but it does not negate the point that Charlemagne essentially removed men for disloyalty or because they had the misfortune to rule land he wanted. The number ten itself should not be emphasized.¹¹⁰

¹⁰⁷ And for a useful reminder that the border lands were different, see J.M.H. Smith, "*Fines Imperii*," p. 171. The problems associated with newly conquered lands were not confined to laymen. Clerics too could be deposed in the context of taking over new regions, such as Abbot Potho of San Vincenzo, who presided over an important monastery just adjacent to newly Carolingian territory: See *Codex Carolinus*, letters 66 (p. 594) and 67 (pp. 594–7). Franz Felten (Felten, "Zur Geschichte der Klöster," pp. 29–36) has argued that the allegations against Potho stemmed from internal monastic disputes, not from a conflict between Lombard and Frankish monks. Felten's interpretation was refuted by Hubert Houben (Houben, "Karl der Grosse und die Absetzung"). However, as other scholars have pointed out, the case could involve both ethnic tensions and other issues: Costambeys, *Power and Patronage*, pp. 159–62, downplaying ethnicity while not excluding it as a factor and Erhart, "*Contentiones inter monachos*," pp. 382–7, who puts more emphasis on ethnic tension in combination with other issues. Hartmann's account emphasizes the political context of tensions between Franks, Lombards, and the papacy in the region: F. Hartmann, *Hadrian*, pp. 227–43. For our purposes, the point is the nexus between depositions and newly conquered regions. See further discussion of conflict within the Italian church in the wake of the conquest in Chapter 4, pp. 230–5.

¹⁰⁸ Krah, *Absetzungsverfahren*, pp. 7–40, 378–80, recording ten secular depositions during the reign of Charlemagne.

¹⁰⁹ Krah, *Absetzungsverfahren*, pp. 10–12. Seemingly, he was later restored to Charlemagne's favor.

¹¹⁰ The list in Krah, then, reveals not the absolute number of people deposed (as Krah herself notes, *Absetzungsverfahren*, pp. 38–9), but rather the kinds of offences which led to depositions.

There were undoubtedly others, such as some of the partisans of Hrodgaud, whose fate is unclear.¹¹¹ Many possible cases of removal from office remain obscure because we lack sufficient information to trace what happened. What we can conclude from Krah's list is that the most common context for depositions was either revolt or the expansion of the empire, and that depositions of secular office holders simply for misuse of office were rare.

There are only a few possible Frankish exceptions. Janet Nelson has proposed one potential Frankish case, that of the count of the palace Worad.¹¹² Worad was involved in the battle of Suntal in 782.¹¹³ Worad and his fellows did not want to be outdone by a royal relative recently arrived with more troops, so they joined battle precipitously with the Saxons.¹¹⁴ The over eager Franks lost the battle, a defeat that resulted in Charlemagne's speedy journey to Saxony and the massacre of 4500 Saxon leaders at Verden in retaliation for the Frankish defeat.¹¹⁵ Nelson has observed that Worad disappears from the sources after his role in this military fiasco, and suggests that he was removed from office.¹¹⁶ An intriguing suggestion, but one we cannot substantiate. However, if Worad was indeed dismissed as count of the palace after the disaster at Suntal the lack of clear evidence may be typical of such situations. That is, the rare cases where Charlemagne might have actually dismissed an aristocrat from his *honores* were not publicly acknowledged, presumably because the court did not wish to focus attention on the scandal.

¹¹¹ Krah, *Absetzungsverfahren*, p. 14–15. Almost certainly people whose names are unknown to us lost offices in the context of all three revolts during the reign.

¹¹² Nelson, "Was Charlemagne's Court a Courtly Society?" p. 55. Worad is known via his appearance in two charters as count of the palace (DK 138 and 148; despite the unusual spelling of his name in DK 138 [see comments in the edition], this does appear to be Worad; see also Abel and von Simson, *Jahrbücher des fränkischen Reiches*, vol. 1, pp. 435–6; Fleckenstein, "Karl der Große und sein Hof," p. 32, note 56) and in the Royal Frankish Annals and its revision for 782 (pp. 60–3). On his career see notes in: Abel and von Simson, *Jahrbücher des fränkischen Reiches*, vol. 1, pp. 405, 428–31, 435–6; Meyer, "Die Pfalzgrafen," p. 459 and note 1.

¹¹³ Royal Frankish Annals s.a. 782, p. 60.

¹¹⁴ Revision of the Royal Frankish Annals s.a. 782, pp. 61–3. Brunner interprets the haste on the part of Worad and his fellows as a sign of tension between social levels within the aristocracy: K. Brunner, *Oppositionelle Gruppen*, p. 47.

¹¹⁵ See further Chapter 3, p. 157 on this incident.

¹¹⁶ Nelson, "Was Charlemagne's Court a Courtly Society?" p. 55. Meyer, "Die Pfalzgrafen," p. 459, note 1 says that it is unclear how long after Suntal Worad kept his office. Building on this point, Fleckenstein has noted that it is possible that Worad continued to serve the king in some way (Fleckenstein, "Karl der Große und sein Hof," p. 39, note 125). Nonetheless, Nelson is correct that there is no clear evidence of Worad after 782.

Another two potential cases are recorded in Notker's biography of Charlemagne. Because I am arguing that there is virtually no evidence for dismissal of secular agents during the reign of Charlemagne, it is important to consider all possible sources that might challenge the point. I will therefore briefly depart from this book's practice of depending primarily on sources contemporary to the reign of Charlemagne to say something about Notker's comments on dismissing agents. Written in the 880s for Charles the Fat, Notker's anecdotal and chatty narrative used to be dismissed by scholars. More recent research underscores the positive evidence Notker can provide, although more in terms of his testimony about late Carolingian Europe than in his depiction of Charlemagne.¹¹⁷ Nonetheless, Notker's anecdotes might illustrate how Charlemagne's treatment of his agents was remembered. The more reliable case in Notker is that of Isanbard. Isanbard was an Alemannian noble, who appears in charters as a count, and then disappears, only to reappear almost twenty years later, again as a count. This in itself does not imply much, but Notker explicitly tells us this man was deposed from his office.¹¹⁸ The evidence is unclear, as we have no contemporary record of him being deposed, and the sources, as Matthew Innes argues, suggest more a matter of renewed status than a particular office lost and recovered.¹¹⁹ The gap between Isanbard's appearance in local charters between 779 and 798 on its own is hardly worthy of remark, particularly given the irregular survival of charters (although there is extensive evidence from Saint-Gall, where the charters concerning Isanbard were preserved). Notker's comment that he was deposed and then returned to favor makes it possible that Notker is preserving the local memory of an agent who truly was deposed and then restored to an office by Charlemagne, but we cannot be sure of this. Notker's other story is just

¹¹⁷ For rehabilitations of Notker, see Ganz, "Humour as History"; Goetz, *Strukturen der spätkarolingischen Epoche*; Löwe, "Das Karlsbuch Notkers von St. Gallen"; MacLean, *Kingship and Politics*, pp. 199–229.

¹¹⁸ Innes, "Property, Politics and the Problem of the Carolingian State," offers a full analysis of the case. The story is told in Notker: Notker, *Gesta Karoli Magni*, book 2, c. 8, pp. 60–1. For a review of all the sources for Isanbard, see Borgolte, *Die Grafen Alemanniens*, pp. 150–6. He appears in the following charters: *Urkundenbuch der Abtei Sanct Gallen*, ed. Wartmann, nos. 31, pp. 34–5 (ChLA 1, no. 58), 62, pp. 61–2 (ChLA 1, no. 74), 71, pp. 69–70, 80, pp. 76–7 (ChLA 1, no. 85), 86, p. 82 (ChLA 1, no. 83), 154, p. 146 (ChLA 2, no. 147), 178, p. 168 (ChLA 100, no. 11), 190, pp. 180–1 (ChLA 100, no. 19), and in a list of witnesses in Anhang, no. 20, p. 397. He is called count in all of these except no. 31 and the witness list. The issue is the time gap between charters 86 (from 779) and 154 (798). On Isanbard's conflict with Saint-Gall, see Heidecker, "Charters as Texts," pp. 39–40, 49.

¹¹⁹ Innes, "Property, Politics and the Problem of the Carolingian State," pp. 303–10, and especially note 45 on p. 309.

that: An anecdote without documentary support or precise details. Notker tells us that a brother of Hildegard lost his offices on his sister's death, but after what seems to be a public court comment about his loss, the offices were restored.¹²⁰ These anecdotes may betray hints of deposed agents, but the sources we have cannot sustain the burden of proof. Moreover, as Innes notes, such cases are more a feature of the later Carolingian period.¹²¹ During Charlemagne's reign, the evidence of loss of office remains tenuous at best.

Our only other evidence comes from the capitularies.¹²² The first Saxon capitulary, long noted for its severity, claims that a count should be removed from office for accepting a bribe or failing to apprehend a bandit.¹²³ As this capitulary is so shaped by the particular exigencies of the conquest, it is unwise to extrapolate from this example to regular administrative functioning. The regulation was not repeated in the subsequent Saxon capitulary, nor do we have any evidence for its enforcement. There may be scope to argue that the king threatened counts generally with loss of office for failings related to bandits, as the Capitulary of Herstal from 779 also does so,¹²⁴ and similarly threatens lower level agents

¹²⁰ This is count Udalrich, a brother, supposedly, of Hildegard. Notker, *Gesta Karoli Magni*, book 1, c. 13, p. 17, and discussion in Innes, "Property, Politics and the Problem of the Carolingian State," p. 305. For a review of his career and what we can know about a possible deposition, see Borgolte, *Die Graften Alemanniens*, pp. 248–54.

¹²¹ Innes, "Property, Politics and the Problem of the Carolingian State," pp. 305, 312–13.

¹²² My examples here will consist of clear cases where counts, not other agents, were explicitly threatened with loss of office.

¹²³ *Capit.* I, no. 26, c. 28, p. 70 (for accepting a bribe) and c. 24, p. 70 (for failing to deal with a bandit). See [Chapter 8, Note 195](#), for a new reading of the first Saxon capitulary. Regardless of how we interpret that text, I maintain it cannot be assumed to apply to the rest of the empire without good reason to do so.

¹²⁴ *Capit.* I, no. 20, c. 11, p. 49: "De vindicta et iudicio in latrones factum testimonium episcoporum absque peccato comitis esse dicunt, ita tamen ut absque invidia aut occansione [sic] mala, et nihil aliud ibi interponatur nisi vera iustitia ad perficiendum. Et si per odium aut malo ingenio, nisi per iustitiam faciendam, hominem diffecerit, honorem suum perdat, et legibus contra quem iniuste fecit, secundum penam quam intulit, emendetur." The passage is perhaps somewhat clearer in the Lombard version, c. 12, pp. 49–50: "De vindicta et iudicium in latronibus factum testimonium episcoporum absque peccato comites facere possint, si ibi nec invidia nec alia occasio mala nec iniusta non interposuerit, nisi vera iustitia ad perficiendum et pacem confirmandum. Ut si quis latro de uno furto probatus fuerit, unum oculum perdat; et si de duos furto probatus fuerit, oculum perdat et nasum ei cappiletur; et si de tres furto probatus fuerit, moriatur. Et de his duabus furtis, unde oculum unum et nasum perdere debet, constituimus, ut dominus servi illius secundum legem cui furta facta fuerint solvere debeat; de tres vero furtis unde morire debetur, mors illius furta illas excludatur. Et si comis sine culpa per invidia aut iniusta occasione, nisi per iustitia et pacem faciendam, hominem diffecerit, honorum suum perdat et legibus contra quem iniuste fecit secundum poenam quam intulit emendet." For another case of a lower level loss of office, see *Capit.* I, no. 74, c. 5, p. 167.

with dismissal for a similar offense.¹²⁵ However, the offense that could result in dismissal is not the same in the two capitularies, making it hard to argue for continuity in the treatment of counts. In the case of the Capitulary of Herstal the crime that could result in loss of office is convicting someone of banditry unjustly, a regulation perhaps to be explained by the gravity of the penalties for banditry. Moreover, as none of this early evidence about dismissal of counts is repeated despite copious legislation on banditry,¹²⁶ it is difficult to make a general claim about counts losing office in connection with cases of banditry.

The complex circumstances of conquest, as we saw with the Saxon regulations, also seem to lay behind another provision, in an early capitulary for Italy, which sets out the punishment for counts, Frankish or Lombard, who fail to do justice.¹²⁷ Lombards who decline to do justice

¹²⁵ *Capit.* I, no. 20, c. 9, pp. 48–9.

¹²⁶ For example, *Capit.* I, no. 61, c. 4, p. 148; *Capit.* I, no. 67, c. 2, p. 156; *Capit.* I, no. 77, c. 13, pp. 171–2 (implying punishment, but not a clear comital loss of office); *Capit.* I, no. 82, pp. 180–1. An *iudex* is threatened with loss of office for not dealing properly with bandits. However, this one chapter is preserved only in a fifteenth-century manuscript, inserted into the Capitulary of Herstal, and thus is of dubious authenticity, and is furthermore hard to interpret as a witness additional to the Capitulary of Herstal: *Capit.* I, no. 105, c. 2, p. 216.

¹²⁷ *Capit.* I, no. 91, c. 7, p. 192: “De universali quidem populo quis, ubique iustitias quaesierit, suscipiat tam a comitibus suis quam etiam a castaldehis seu ab sculdaissihis vel loci positis iuxta ipsorum legem absque tarditate. Et si comis Franciscus distulerit iustitias faciendum et probatum fuerit, iusta ut eorum fuit electio, ita subiaceat, et de illorum honorem sicut Francorum est consuetudo. Et de Langubardiscos comites qui ex ipsis neglectum posuerit iustitias faciendum, sicut ipsorum lex est ita componat; et si forsitan attenderit ad gasindios vel parentes et amicos suos seu premium et legem non iudicaverit, et probatum fuerit, componant et honorem suum perdat sicut lex ipsorum est. Et si castaldius et sculdais seu loci positus de qualibet iudicaria tam de suos pagenses quamque et alios, qui iustitias quesierit, non fecerit, componant sicut lex ipsorum est. Et si forsitan Francus aut Langobardus habens beneficium iustitias facere noluerit, iudex ille in cuius ministerio manserit contradicat illi beneficium illum, interim quod ipse aut missus eius iustitias faciant.” This chapter poses a number of problems of interpretation. The summary given here is similar to the translation offered in Azzara and Moro, *I capitolari*, pp. 60–1, but other renderings are certainly possible. The fundamental problem is that the capitulary captures a moment of administrative transition, in which Frankish and Lombard expectations of justice are being uncomfortably combined (see Bougard, “Laien als Amtsträger,” pp. 204–5 on uneasy administrative merging; for an account emphasizing diversity of administration within Italy see Bonacini, “Giustizia pubblica,” p. 9). I hope to address the implications of this capitulary in greater detail elsewhere, but for present purposes, one issue in particular requires some comment. This is the reference to Frankish custom about the disciplining of agents. The *Lex Ribuaria*, title 91.1, p. 133, threatens royal agents with death for accepting bribes in judicial cases. I am not aware of a precise equivalent in the Salic law, which usually offers agents accused of various kinds of judicial failings the possibility of commuting a death sentence by paying a fine (for instance, *Lex Salica*, title D 86.4/E 85.4 or E 87.2/E 86.2, pp. 150–3; *Pactus legis Salicae*, title 50.4/K 52.3, p. 195, title 51.3/K 53.2, p. 197; less clear possibility of redemption in, for instance, *Capit.* I,

should pay a fine; those who additionally favor relatives or friends should also lose their office. Franks should be treated according to Frankish custom, but the details are not spelled out. The terms of the regulation are hard to decipher, and in any case, there is no evidence of any effort to enforce it. What seems to be at issue here is the idea that Lombards and Northerners working in Italy who did not accept the stringent Carolingian judicial reforms during the early years of administrative transition would be subject to special punishment, a situation similar to what we saw in the regulations about loss of office in Saxony. The editor of the capitularies also points to a parallel in Lombard law, so it is possible the regulation was meant to preserve indigenous custom.¹²⁸ In any case, these kinds of threats of loss of office are anomalous instances in the corpus of the capitularies, and were seemingly neither repeated nor enforced.

A clearer exception to the lack of interest in dismissing counts is a reference to removal from office for allowing the rejection of royal coinage, and what seems to be the real issue here is the refusal to accept correction rather than the offence in the first place.¹²⁹ The chapter states: “About coinage it has been established that no one should dare to reject a valid and rightly weighted denarius; and whoever should presume to do such a thing, if he is free, let him pay the ban, if he is a *servus*, let him be subject to corporal punishment. And in whatsoever county or power he is found and has rejected a denarius of lordly [that is, royal] coinage (*ex dominica moneta*) rightly valid and weighted, the bishop, abbot or

no. 4, c. 8, p. 9). None of this evidence, however, makes it clear what the reference to Frankish custom about office is meant to evoke in this context. I would propose that there was not a clear Frankish custom, and that the authors of the capitulary are trying to imply an equivalence between Frankish and Lombard expectations (on which see the [next Note](#)). I would like to thank Ilaria Andreoli for reviewing the Italian translation with me, and Stefan Esders and Lukas Bothe for a very helpful discussion of the passage.

¹²⁸ *Edictus ceteraque Langobardorum leges*, Ratchis, c. 10 (VI), p. 158: “Violentia quidem, si sustinuerit aliquid aut a iudicem suum, aut ab alium hominem, et iudex neglexerit iudicare, forsitan adtenderit ad gasindium, uel ad parentem, aut ad amicum suum, uel ad premium, et legem non iudicauerit: tunc ueniat ad palatio, et reclamit sua uiolentia; et si prouatum fuerit, non computetur in adunationem ei qui proclamauit, sed ipse iudex componat uuirigild suum, medietatem regi et medietatem ei cui iustitiam denagauit, et honore suo amittat.”

¹²⁹ *Capit. I*, no. 63, c. 7, p. 152: “De monetis statutum est ut nullus audeat denarium merum et bene pensantem reiectare; et qui hoc facere presumpserit, si liber fuerit, bannum componat, si servus, corporali disciplina subiaceat. Et in cuiuscumque comitatum et potestate inventum fuerit et denarius ex dominica moneta bene merus et pensantes reictaverit, episcopus, abba aut comes, in cuiuslibet potestate ut diximus inventi fuerit et hoc emendare distullerint, honore priuentur.” See also Siems, *Handel und Wucher*, pp. 477–81, especially p. 478.

count, in whose power, as we have said, he was found, and they have disdained to emend this, should lose their honor.” The insistence on acceptance of valid coinage is a frequent theme in the capitularies because of the reforms of the coinage, and thus hardly occasions surprise.¹³⁰ But the additional clause in this capitulary insisting on the deposition of office holders who permit the rejection of the king’s coinage requires explanation as it is unparalleled in the legislation on coinage. The manuscript evidence for this capitulary provides the key: The chapter is fully preserved only in a single, early manuscript, suggesting the provision was intended for a particular, limited circumstance and not meant to establish a general principle.¹³¹ Indeed, the legislation for this year, which Boretius edited as three separate texts, may in fact be the result of one legislative moment, preserved via local transmission, which added additional material related to particular circumstance.¹³² How many discrete texts may have emerged from the court in 809 need not detain us here, but the main point is that this clause can easily be seen as a particular local addition, and not a long lasting rule for the empire as a whole. Both the manuscript transmission and the evidence of other capitularies that do not include similar penalties militate for seeing the regulation as an exception, and not a general policy toward counts. This atypical reference makes most sense as a reflection of some kind of immediate problem now inaccessible to us, rather than as an articulation of a normative standard. The one clause provides no sure ground on which to claim that Charlemagne regularly threatened his men with loss of office for failing to enforce coinage reform.

¹³⁰ For instance, *Capit.* I, no. 28, c. 5, p. 74; *Capit.* I, no. 44, c. 18, p. 125; *Capit.* I, no. 52, c. 7, p. 140. For the reforms, see Blackburn, “Money and Coinage,” pp. 548–51; Grierson and Blackburn, *Medieval European Coinage*, vol. 1, pp. 205–10; Coupland, “Charlemagne’s Coinage”; Grierson, “Money and Coinage under Charlemagne.”

¹³¹ The manuscript in question is Nürnberg, Stadtbibliothek, Cent. V, App. 96. Further transmission in: Paris, Bibliothèque Nationale, lat. 4628A, 4631, 4995, 9654, Sélestat, Bibliothèque Humaniste, 14 (104), Vatican, Biblioteca Apostolica Vaticana, Pal. Lat. 582. For the reception of the 809 legislation in Ansegisus, see *Die Kapitulariensammlung*, pp. 49–51. See also Mordek, *Bibliotheca*, p. 1087. For discussion of these manuscripts, see Mordek, *Bibliotheca*, pp. 401–4; 488–501; 507–16; 549–55; 562–78; 708–14; 780–97, respectively. I offer a full analysis of the manuscript evidence for this capitulary in my forthcoming monograph on the capitularies.

¹³² Kikuchi, “Carolingian Capitularies as Texts.” I think that there are probably two separate texts to be distinguished among the three capitularies Kikuchi discusses, and I count them as such in the graph in [Chapter 7](#). I will return to the point in my monograph on the capitularies. I will cite all three as edited in Boretius, as all do include valid capitulary material and referring to them using the conventions of the current best edition seemed the clearest solution. Manuscripts of these three linked texts do contain chapters on coinage, but not the full passage in question here.

If there is a more general concern evident in the passage, it is the importance of obedience, as another capitulary chapter suggests possible loss of office for counts who fail to make sure that clerics obey their bishops.¹³³ Nonetheless, most other offences related to issues of obedience do not evoke the possibility of loss of office, again making it hard to discover a general principle at work. The exceptional instances of counts being threatened with loss of office which we have examined are unclear, seem to relate to specific circumstances, or are asserted and then not repeated. This is not to say Charlemagne could not have removed a count for offences like failing to accept coinage or mishandling bandits, or that he never threatened to do so. However, we must conclude that, on the whole, the capitularies devote little attention to such possible depositions and present no general rules for dismissal of counts.

Our evidence for the dismissal of counts is thus highly limited and more abundant on the peripheries of the empire.¹³⁴ Nonetheless, the various features of comital management we have observed can be combined to let us sketch a model of how Charlemagne handled bad counts. The defining factor in how to handle a bad count was how bad he was. Outright rebellion was crushed. For less egregious offences, the capitularies, not known for their downplaying of royal authority, generally ignore the issue of removing a count from his office. If Charlemagne was dismissing counts with any frequency, we should know about it, as the kind of sources that recount such dismissals under other Carolingian rulers, like diplomas and historical narratives, survive in bulk from this period.¹³⁵ What the extant evidence on the whole suggests is a process of advice and correction, and royal involvement if need be. The constant emphasis on countship as office itself fostered a climate of increased and shared responsibility.¹³⁶ This process of correction, then, is what we can say about dismissal of counts. The examples of the correction of Duke

¹³³ *Capit.* I, no. 33, c. 21, p. 95: "Ut presbiteros ac caeteros canonicos, quos comites sui in ministeriis habent, omnino eos episcopis suis subiectos exhibeant, ut canonica institutio iubet; de his episcopis suis pleniter sub sancta disciplina eos erudire sint consentientes, sicut nostra gratia vel suos honores habere desiderant." One could argue that the cases which seem to evoke a threat of loss of office are linked primarily to banditry, bribery and justice more broadly, and obedience. But this is to do no more than note some of the main themes of the capitularies.

¹³⁴ Compare Stieldorf, "Adel an der Peripherie," arguing for more minimal distinctions between depositions in the center and periphery later in the Carolingian period.

¹³⁵ I depend here on the extensive discussion of the sources for dismissals in Krah, *Absetzungsverfahren*.

¹³⁶ See now Henry Mayr-Harting's incisive pages; "Alcuin, Charlemagne and the Problem of Sanctions," especially pp. 209–15.

John and the outright dismissal of Duke Chorso suggest that the king could intervene if he chose. But on the whole, what our sources are more interested in is how the king and his *missi* would reeducate the count in the proper performance of his duties.¹³⁷ If he still failed to meet royal expectations, he could largely be circumvented by the bishop and royal *missi*, both regular and occasional.¹³⁸

Charlemagne had an ambitious, demanding, and intrusive understanding of what his counts should do. The extensive and exceptional qualities of the missatical system under Charlemagne have long been recognized.¹³⁹ But it is less appreciated that the use of counts in this reign is similarly a significant elaboration on earlier practice. The method of enforcement was the constant announcement of this program, and the enacting of the plans from many angles at once, with bishops, *missi*, and indeed lesser officials all enveloping the count, and ideally, pushing him toward implementation of the royal agenda. As Jinty Nelson has suggested, Charlemagne may have expected the counts to reject his new ideas at the start, but after years of missatical supervision they would get the point.¹⁴⁰ And we can well imagine some counts used to the old system who were confused by or resentful of this king with his new officials and grand ideas. The longer the new system lasted, the less likely were holdouts for the days when the counts were left to their own devices. Charlemagne may have been difficult to work for, but the rewards attendant on royal service encouraged counts to overlook the king's intrusive innovations.¹⁴¹ Charlemagne and his advisers did not enforce royal control in the area of comital management by dismissing counts, but by advocating a new vision of office holding, establishing a system of correction, and by surrounding counts with new ideas, new

¹³⁷ The idea of explaining proper behavior to counts is especially obvious in, for example, *Capit.* I, no. 85, c. 4, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, p. 101; citation is from the MGH edition): "Deinde ut hoc certissime provideatis, si aliquid de omni illo mandato sive secundum Deum seu secundum saeculum, quod vobis domini nostri aut scribendo aut dicendo commendatum est, dubitetis, ut celeriter missum vestrum bene intelligentem ad nostras [sic] mittatis, qualiter omnia et bene intellegatis et adiuvente Domino bene perficiatis."

¹³⁸ For one example of missatical circumvention, see *Formulae Augienses, collectio B*, no. 22 in *Formulae Merowingici et Karolini Aevi*, p. 357.

¹³⁹ What Werner argues for the *missi* as a departure is in many ways true of counts as well. See K.F. Werner, "*Missus-marchio-comes*," p. 196 (p. 113 in the reprint) and discussion in the *Introduction*, pp. 33–5.

¹⁴⁰ Nelson, *Charlemagne and the Paradoxes of Power*, p. 14 (p. 38 in the reprint).

¹⁴¹ Nelson, "Kingship and Royal Government," p. 412 on rewards; and generally on service to the king as an essential component of aristocratic self-identity: Airlie, "The Aristocracy in the Service of the State."

officials, and new ways of doing things.¹⁴² A count in Charlemagne's empire who failed to do as the king wished would constantly encounter those who were active in the new model of royal service: At assemblies, in meetings with *missi*, by observing the next count over. A perceptive count might note too the rewards such able servants accrued.

The cumulative impact of the management of agents as we have traced it in these first Chapters is that Charlemagne expected a lot from his servants. He articulated clear if demanding standards for what they should do. He multiplied the opportunities for aristocrats to become familiar with these new ideas. He created a situation in which a count who did not do his job was surrounded by lots of other royal officials who could make up for it and who could demonstrate the benefits of loyal service. We might even see in these royal efforts the first stages in the creation of an ethos of comital service among lay aristocrats, reflected particularly in the mirrors for laymen.¹⁴³ Yet, we cannot imagine these approaches to managing counts operating in a vacuum. Counts did not simply react to these ideas imposed from on high; at least some aristocrats embraced them on their own account.¹⁴⁴

Nonetheless, these approaches to managing counts undoubtedly did not eliminate all problems. We have no evidence with which to make an argument about how many counts acted as Charlemagne wanted. What we can say is that the political structures encouraged by Charlemagne and his court tended toward surrounding counts with the king's version of what they should be doing and finding ways to provide alternatives for those counts who did not live up to the court's ideals. Given such a context, the lack of evidence of direct dismissal of counts makes sense. Charlemagne, on the whole, chose not to try to dismiss bad counts. The political system he fostered encouraged adherence to new standards and tried to minimize the importance of the recalcitrant by surrounding them with others who could fill in and/or offer correction. For Charlemagne the question we need to ask is not whether or not he could deprive aristocrats of their honors (and probably, if necessary, he could), but whether or not he could avoid the necessity of dismissing them. While this approach would only exacerbate the irregularity and unevenness of Carolingian administration, it was in many ways a practical approach. Removing a count was

¹⁴² For royal efforts to control lesser officials, see, for example, *Capit.* I, no. 40, c. 3, p. 115.

¹⁴³ I owe this idea to Jinty Nelson. The key lay mirrors composed during the reign of Charlemagne are Alcuin's *Liber de virtutibus et vitiis* for Wido of Brittany and Paulinus' *Liber exhortationis ad Hericum Comitem* for Eric of Friuli.

¹⁴⁴ Such as Stephen of Paris, count and *missus*, who read out a capitulary to his people: Paris, Bibliothèque Nationale, lat. 4995, f. 19v; see Mordek, *Bibliotheca*, p. 551.

difficult. Creating a situation in which the probity, or lack thereof, of counts did not typically necessitate dismissal was clever political manipulation.

Royal service as *ministerium*¹⁴⁵

This Chapter has argued that when it came to managing agents, especially the all-important local counts, the king advocated a new vision of service but chose to work around rather than eliminate those who did not live up to the new ideals. This approach toward managing royal service meant that the king did not have to attempt to convince every aristocrat in the empire to cooperate with his reforms, a task at which he would have undoubtedly failed. Nonetheless, the reforms were profound and some royal servants sought to fulfill them. Yet, if the only remedy for poor service is correction, can we truly see those who served the king as officials? Were they simply aristocrats doing what they had always done or were they actually in some sense answerable to the king? The evidence presented here shows the most direct efforts at controlling agents occurring in regions where Carolingian power was most limited and diffuse, namely, the Spanish March, Aquitaine, and Istria (a particularly problematic region of Italy because of its Byzantine heritage and administrative difference to Francia).¹⁴⁶ In the Frankish heartlands, however, the king seemingly did not even attempt regularly to dismiss agents. Does this negate any sense of imperial service as office, in the sense of a corpus of responsibilities for which the holders were accountable? The question needs answering because it underpins our understanding of royal effectiveness, of the king's ability to get what he wanted done, of the extent of royal impact on localities. Does the lack of dismissal of agents then imply a gaping hole at the heart of Carolingian power?

A number of scholars have indeed argued against seeing Carolingian aristocrats as agents with offices. The tendencies to work around problems rather than facing them and the regional variations examined in this Chapter might seem to suggest that office was so flexible a concept in the

¹⁴⁵ The conceptualizing of many aspects of political life as *ministerium* is an important broader phenomenon in Carolingian history, especially during the reign of Louis the Pious. This section will address the more limited topic of whether countship (and sometimes other secular service) as it was understood and practiced under Charlemagne constitutes an office.

¹⁴⁶ This was true under Charlemagne and remained so: See G.V.B. West, "Communities and *Pacta*," pp. 370–4.

Carolingian era that it meant nothing.¹⁴⁷ Local power holders may have served the king, but that action might have been shaped by local realities and imperial political ties, not by the expectations of office as such. This argument has been advanced particularly compellingly by Jürgen Hannig, as we saw in [Chapter 1](#).¹⁴⁸ And indeed there is ample evidence for the importance of local ties and imperial connections in shaping individual action.¹⁴⁹ One could thus fairly claim that a combination of imperial ties and local realities, not office, determined the actions of individual political players.¹⁵⁰ I have sought to underline the combination of imperial ties, local realities, and office all together as the key factors shaping political behavior. But does this interpretation of the evidence really mean that those who served the king were accountable agents, held to clear standards and subject to penalties when they failed to live up to their assigned tasks? The importance of such accountability has been stressed by Thomas Bisson in his recent reinterpretation of political change in the twelfth century. Bisson argues that accountable office was, like politics, an invention of the twelfth century.¹⁵¹ However, our study of royal agents under Charlemagne provides at least the possibility that the nature of royal service in the Carolingian period too could count as accountable office.

We must begin with the general dispute over office and what it might have meant in the early medieval period.¹⁵² There has been much controversy over the meaning of political concepts in the early medieval world.¹⁵³ As we discussed in the Introduction, early medieval historians continue to debate the concept of “state.”¹⁵⁴ There is rather limited evidence for the use of the word “state” in Latin during Charlemagne’s

¹⁴⁷ For example, Fried, “Der karolingische Herrschaftsverband,” p. 6.

¹⁴⁸ Hannig, “Zur Funktion der karolingischen ‘*missi dominici*’”; Hannig, “Zentrale Kontrolle,” and see discussion of Hannig’s work in [Chapter 1](#), pp. 80–5.

¹⁴⁹ One might point here to the numerous examples compiled by Innes, *State and Society*.

¹⁵⁰ Bullough, “‘*Bailii*,’” p. 625.

¹⁵¹ Bisson, *The Crisis of the Twelfth Century*, especially pp. 328–69.

¹⁵² The most common word for this idea in royal sources is *ministerium*, as used for example in *Capit.* I, no. 33, c. 28, p. 96; see further [Note 159](#) for details. See also Zotz, “In Amt und Würden,” pp. 12–14.

¹⁵³ Key works include: Wehlen, *Geschichtsschreibung und Staatsauffassung*; Fried, “Der karolingische Herrschaftsverband,” and in contrast to Fried, Goetz, “Regnum,” and see now focusing on the concept of the “state,” Pohl, “Staat und Herrschaft,” especially pp. 9–16.

¹⁵⁴ See [Introduction](#), pp. 21–2 and overview of the historiography in Goetz, “The Perception of ‘Power’ and ‘State’,” pp. 15–20. It is worth noting, however, that the concept of state has given rise to less dispute in other historiographical traditions, such as that on the Anglo-Saxons; see, for example, the essays in Maddicott and Palliser (eds.), *The Medieval State*, where the idea of state does not introduce many difficulties.

reign in particular,¹⁵⁵ but good evidence for the sense of the political realm as a coherent entity.¹⁵⁶ Similar disputes over the meaning of public and private intersect with these questions about state.¹⁵⁷ The words obviously did not mean what they mean for us now, but they were used in Carolingian sources and clearly matter, simply with different implications.¹⁵⁸ One can make a similar argument about the meaning of office under Charlemagne.

The first point is that the word “office” was used, and frequently, in royal sources.¹⁵⁹ Charlemagne devoted a great deal of his capitulary legislation to defining office, of counts, bishops, and *missi* preeminently, and of lower level officials to a lesser degree.¹⁶⁰ We must stress the nature of the Carolingian legislation on office here. First of all, the king had high expectations of his agents, and especially the *missi*, who were meant essentially to oversee everything that went on in their area of competence and report back to the king, whose sense of the scope of his own authority was wide indeed.¹⁶¹ The agents the king depended on were confronted

¹⁵⁵ The German-language literature, in particular, has emphasized issues of vocabulary and concepts of statehood. See overview in Schieffer, “Die internationale Forschung,” and Keller, “Die internationale Forschung zur Staatlichkeit der Ottonenzeit,” pp. 113–17.

¹⁵⁶ Word state during Charlemagne’s reign: Wehlen, *Geschichtsschreibung und Staatsauffassung*, pp. 104, 131. Coherence of the realm: This is on the whole the message of the two Vienna *Staat* volumes: Airlie, Pohl, and Reimitz (eds.), *Staat im frühen Mittelalter*; Pohl and Wieser (eds.), *Der frühmittelalterliche Staat*.

¹⁵⁷ Discussion includes: Nelson, “The Problematic in the Private”; Innes, *State and Society*, pp. 255–9; Genicot, “Sur la survivance de la notion d’état”; Halphen, “L’idée d’état sous les Carolingiens”; Wehlen, *Geschichtsschreibung und Staatsauffassung*, pp. 33–4.

¹⁵⁸ I agree here with Innes, *State and Society*, pp. 255–9.

¹⁵⁹ The word used most often is *ministerium*. As the conceptualization of the episcopate as an office is not questioned, the examples here will focus on the presentation of lay office as *ministerium*; instances include: *Capit.* I, no. 20, c. 21, p. 51; *Capit.* I, no. 26, c. 31, p. 70; *Capit.* I, no. 25, c. 6, p. 67; *Capit.* I, no. 32, c. 8, p. 83, chapters 9–10, p. 84, c. 27, p. 85, c. 45, p. 87, c. 53, p. 88 (also ed. *CdV*, here pp. 56–7, 58, 60, and 61, respectively); *Capit.* I, no. 33, c. 28, p. 96; *Capit.* I, no. 48, c. 3, p. 135; *Capit.* I, no. 50, c. 4, p. 137; *Capit.* I, no. 61, c. 11, p. 149; *Capit.* I, no. 62, c. 22, p. 151 (as given in at least two manuscripts, Paris, Bibliothèque Nationale, lat. 9654 and Vatican, Biblioteca Apostolica Vaticana, Pal. Lat. 582); *Capit.* I, no. 69, c. 4, p. 158; *Capit.* I, no. 77, c. 8, p. 171; *Capit.* I, no. 80, c. 3, p. 176; *Capit.* I, no. 85, introduction, c. 1 and c. 5, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–101); *Capit.* I, no. 94, c. 10, p. 199; *Capit.* I, no. 102, chapters 4, 5, and 13, pp. 209–10. Language matters, but it should not be the only deciding factor: Compare the approach taken in Busch, *Vom Amtswalten zum Königsdienst*, and especially his discussion of a more limited sense of the word “*ministerium*,” in the reign of Charlemagne, pp. 63–9.

¹⁶⁰ Overview in Ganshof, “The Impact of Charlemagne.”

¹⁶¹ Expectations of the *missi*: *Capit.* I, no. 58, c. 2, p. 145; oversight: For example, *Capit.* I, no. 66, c. 1, p. 155: “Ut tales sint missi in legatione sua, sicut decet esse missos imperatoris strenuos, et perficiant quod eis iniunctum fuerit aut, si non potuerint, domno imperatori notum faciant quae difficultas eis resistat, ne illud perficere possint.”

with virtually a barrage of royal instruction, laying out their responsibilities, what they owed to the king, and the nature of their duties as the king saw them.¹⁶² This emphasis on defining office was one of the major concerns of the king and his court. The combination of this stress on official roles and the frequent use of the term office to define royal service, and indeed usually in the context of enumerating the responsibilities assigned to agents, might suggest that we could confidently claim that there is a sense of office in the Carolingian period, at least under Charlemagne.¹⁶³ There are a few complications, however.

As we have seen, royal legislation demonstrates little interest in dismissal of agents for dereliction of duty.¹⁶⁴ Most of the time the king dealt with such flaws by threatening the agents with punishment or correction, but in practice largely avoiding outright dismissal. We examined this phenomenon in detail for counts, but one could make a similar argument for the *missi*, with the proviso that the role of a *missus* was presumably of shorter duration.¹⁶⁵ But given our limited knowledge of who served as a *missus*, when, and for how long, the issue is more difficult to trace on the missatical level than on the comital level.¹⁶⁶ Bishops too are a more

¹⁶² See, for example, the many burdens and high expectations in *Capit.* I, no. 46, pp. 131–2 to give just one example.

¹⁶³ And which the agents themselves expressed; *Capit.* I, no. 85, introduction, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–100; citation is from the MGH edition): “Nos igitur in ipsa legatione positi, idcirco ad vos hanc direximus epistolam, ut vobis et ex parte domni imperatoris iuberemus et ex nostra parte exortando precaremur, ut de omni re, quantum ad ministerium vestrum pertinet, tam ex his quae ad Dei cultum quamque ex his quae ad domni nostri servitium seu ad christiani populi salvationem vel custodiam pertinet totis viribus agere studeatis. Praeceptum est enim nobis omnino et omnibus reliquis missis a domino nostro, ut medio Apreli ei veraciter renunciemus, quid in regno suo ex his quae ipse in istis annis per missos suos fieri iussit factum sit vel quid dimissum sit, ut facientibus gratias condignas reddat et non facientibus secundum quod ei placet increpationes meritas reddat. Et quid plura vobis exinde dicere possumus? non vult omnino, nisi ut sic adimpletum ei nunciemus sicut iussit, et quicquid exinde dimissum sit et per cuius neglegentiam dimissum sit. Nunc autem admonemus vos, ut capitularia vestra relegatis et quaeque vobis per verba commendata sunt recolatis et tale exinde certamen habere studeatis, pro quo et apud Deum mercedem et apud ipsum magnum dominum nostrum condignam retributionem suscipiatis.”

¹⁶⁴ Unlike many other early medieval kingdoms: See Nelson, “West Francia and Wessex,” pp. 106–7.

¹⁶⁵ Ganshof, *Frankish Institutions*, pp. 24–6; Eckhardt, “Die Capitularia missorum specialia,” pp. 509–16.

¹⁶⁶ Eckhardt, “Die Capitularia missorum specialia,” pp. 509–16; Ganshof, *Frankish Institutions*, pp. 25–6; K.F. Werner, “*Missus-marchio-comes*,” pp. 196–8 (pp. 113–15 in the reprint). And for *missi* serving under Charlemagne, see Krause, “Geschichte des Instituts der *missi dominici*,” pp. 258–64, 282–6, which is the most complete list of *missi* we have. This list can, and should, be expanded. Shigeto Kikuchi’s forthcoming prosopography of the *missi* will be very useful in this respect.

complex case, as they should ideally be judged by other clerics, an ideal that was perhaps more often honored in the breach.¹⁶⁷ Nonetheless, the episcopate was meant to have an independence the king himself wanted to foster, albeit within certain boundaries, namely, the expectation of political participation by bishops.¹⁶⁸ All of these limits on the king's ability to actually dismiss agents could argue against seeing his servants as real officials. Charlemagne hoped his agents would be accountable to royal oversight, and encouraged such obedience in a variety of ways, but he also provided a built-in hedge in case agents did not do as they were told via the circumventing of poor agents we have considered in these first Chapters. The assumption of accountability combined with ways to work around unaccountable agents could suggest limits of office under Charlemagne.

Furthermore, most scholarly discussion of office focuses on the period from the twelfth century onward, with the incipient development of nation states.¹⁶⁹ The reality that modern nation states are characterized by their reliance on officials need not imply that earlier political entities did not depend on such figures as well.¹⁷⁰ However, the focus on the twelfth century, building on scholarship alleging a significant shift in European society in the tenth to twelfth centuries,¹⁷¹ does introduce a more pressing concern in our view of office, namely, continuity.¹⁷² Such literature on the Middle Ages often ignores the Carolingian period entirely, but its focus on sustained, if irregular, development of the core of Europe from the twelfth century onward raises the issue of the duration of concepts of office. Going back to Weber's model of bureaucratic power, one of the usual components connected with the idea of

¹⁶⁷ See p. 54–6 for details.

¹⁶⁸ On the tension, see, for example, *Capit.* I, no. 72, c. 4, p. 163.

¹⁶⁹ For the specific issues of characterizing the state in a Carolingian context, see Airlie, "The Aristocracy in the Service of the State," pp. 93–7; de Jong, "Ecclesia and the Early Medieval Polity," pp. 113–15; and generally P. Wormald, "Pre-Modern 'State'."

¹⁷⁰ That is, just because there is not direct continuity from the ninth century to the modern period does not mean that we cannot use modern terms to describe early medieval reality, which bore some, if not complete, relationship to modern realities; see also Wormald, "Pre-Modern 'State,'" p. 189.

¹⁷¹ This vision of European history owes much to the field-shaping work of Southern, *The Making of the Middle Ages*, first published in London in 1953. It is still repeated today in various forms, for example Moore, *The First European Revolution*; Bartlett, *The Making of Europe*.

¹⁷² For some critical remarks on this literature and its formulation of the problem in the central Middle Ages, see Reuter, "All Quiet Except on the Western Front?" There are also helpful observations on thinking about power and coherence in an early medieval context in Hummer, "Politics and Power," pp. 36–40.

office is that of institutional continuity.¹⁷³ Scholars have long emphasized continuity in general in the context of the development of states, but it is a difficult thing to find in a Carolingian context. Indeed, the points made in this book about patterns of ruling specific to Charlemagne would argue on the whole against continuity, as much of what Charlemagne did was not replicated in the political practice of Louis the Pious or Charles the Bald,¹⁷⁴ much less later in the Middle Ages. The way in which Charlemagne's agents functioned does of course have similarities with the way agents under his predecessors and successors functioned, but the differences are often more glaring.¹⁷⁵ The issue of continuity, then, would seem to be a reason not to characterize royal agents as officials, as there was no long term stability to the roles assigned to them. Of course, any institutional role will be subject to some degree of change over time, but one could argue that Carolingian political structures were so short lived that they did not last long enough to create sustained, continuous definitions of office.

We can offer some rebuttals to these counter arguments. Not dismissing poor officials does not mean, as I have argued here, that the king had no control over such officials. It can indeed, on the imperial scale, be a reasoned approach to ignore poor officials, because, if they were not in outright revolt, it was easier to work around them than to dismiss them. In the first Chapter, we considered overlapping delegation, that is, the way in which the tasks assigned to a count, for example, were shared for the most part with other agents. As long as these agents could fill in for their fellows, a recalcitrant count was not a large problem. And surrounding poor agents with others working on the same matters, hopefully more fruitfully, might be a prod to the laggards to embrace the royal program, particularly given the rewards royal service could bring. Thus, the king's tendency not to dismiss agents need not inhibit us from seeing them as accountable agents. This preference is no doubt evidence of the king and court taking the easy way out and of a pragmatic approach to rulership.¹⁷⁶ But this does not mean that it was not also an effective approach, on the whole, if not perhaps in every single case. Charlemagne asked a lot of his agents, and asked things of them in an overlapping fashion. Occasional agents in a region failing to perform as the king wished

¹⁷³ For example, Strayer, *On the Medieval Origins of the Modern State*, pp. 10–11; and comments of Wormald, "Pre-Modern 'State'," p. 179. See, preeminently, Weber, *Economy and Society*, vol. 1, part 1, chapter 3.

¹⁷⁴ See further [Conclusion](#) to this study.

¹⁷⁵ For one interesting study of how the reigns of individual Carolingians differed, see Depreux, "L'absence de jugement."

¹⁷⁶ Compare Ganshof, "Charlemagne," pp. 526–7 (pp. 24–5 in the reprint).

might be unavoidable, but it was also, in this system, not necessarily a serious problem.

As an answer to institutional continuity, we must offer a rather more mixed response. One cannot really argue that agents operating in this political model had much institutional continuity as such, either long term during the Middle Ages, or during Charlemagne's reign. There was too much room in this system for local difference and personal ties for us to claim, for example, that all *missi* functioned in the same way; they simply did not. But as I argued about Arn of Salzburg that does not mean that the roles given to agents did not matter.¹⁷⁷ Arn's actions were shaped by what was expected of him and possible for him as archbishop and *missus*. The specific ways in which he fulfilled those roles were informed by his personal ties in Bavaria, his connection with Charlemagne, and the specific realities of the Bavarian situation. But the roles the king gave him did impact his action too, as we saw in the emphasis on his titles, in his explicit presentation of his work as the carrying out of royal command, and in the myriad ways in which what he did was what the king wanted. The lack of clear lines between roles combined with local circumstances does mean that there is not one model of, for example, missatical behavior that we should expect all *missi* to have fulfilled. But the capitularies assigned a range of action to the *missi*, which, together with their local situation and ties to the king, determined what they did.¹⁷⁸ These people did have offices, in the sense of roles delegated by the king, with assigned responsibilities, and consequences, even if not usually dismissal, for non-fulfillment of their duties.¹⁷⁹ The roles Carolingian agents fulfilled were shared with others, and the penalties tended to be royal correction rather than the loss of office. But that does not mean that we should not call these roles, which were attached to defined, if shared responsibilities, and for which the agents had to render account to the king and to God, offices, as the Carolingians themselves did.¹⁸⁰

We must conclude by drawing out two consequences of this vision of office holding. First of all, it does not involve long term continuity in the way some scholars claim twelfth-century offices did.¹⁸¹ But the lack of

¹⁷⁷ See pp. 74–7, 80.

¹⁷⁸ The basic expectations the court had for the *missi* were indeed quite clear; Ganshof, *Frankish Institutions*, pp. 23–6.

¹⁷⁹ *Capit.* I, no. 85, introduction, 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–100) for example, partly cited in [Note 163](#), on expectations of counts.

¹⁸⁰ A similar view is reached from a different angle in Zotz, “In Amt und Würden,” pp. 12–19.

¹⁸¹ Obviously, there are some longer lasting features of Carolingian political life. But how long these Carolingian continuities persisted is not clear, and is a topic which frequently intersects with disputes about the so-called “Feudal Revolution.” For orientation into

continuity does not detract from the responsibility or the royal shaping of political conduct. If one can have office without institutional continuity, we may need to think in different ways about what was “modern” about office holding, and how the Carolingian age did, and did not, pave the way for the rest of the Middle Ages and the development of modern Europe.¹⁸² What we see in the twelfth century and after with incipient nation states may not be a new approach to office holding as such, but the first appearance of a more modern version of office holding. The roots, however, may be far deeper, as we have also recently learned is true of the origins of Europe’s economic dominance.¹⁸³ The second implication of this view of office is that it was not entirely institutional in the modern sense. That is, there were tasks associated with office, but they were not usually exclusive to that office and they were performed in such a way as to result in diversity not similarity. It is thus not that Carolingian governance under Charlemagne was not institutional, but that it was shaped by a combination of personal ties, local variation, and institutions. We should, in my opinion, go ahead and call this vision of royal service office because to do otherwise denies its deep responsibilities, its shaping by the king, and its role in guiding political behavior.¹⁸⁴ But we must also recognize that this vision of office holding was variable, personal, and locally contingent. No two Carolingian office holders would behave in quite the same way. However, the king and his advisers on the whole used this diversity (and indeed fostered it) as a positive factor in their approach to rulership.

Charlemagne managed to convince some especially talented men to work for him. Bishop Leidrad of Lyons, for example, has left records of his dutiful efforts to do what the king asked of him explicitly and to foresee how else he might serve his king, such as the construction of a palace Charlemagne might stay in should he visit Lyons.¹⁸⁵ Charlemagne also greatly liked foreigners, and many especially capable royal servants were not Franks by birth. Alcuin may have agonized over his absence from England, and especially York, but in the end he stayed with the king he thought had the most potential of exploiting all the

this debate, see Bisson, “The Feudal Revolution”; with responses of Barthélemy, Reuter, White, and Wickham, and reply of Bisson.

¹⁸² Getting agents to behave accountably is also seen as a central process in economic development, which need not unproblematically lead to the development of modern state structures. See, for example, Greif, *Institutions and the Path to the Modern Economy*.

¹⁸³ McCormick, *Origins*, especially pp. 791–8.

¹⁸⁴ See also Airlie, “The Aristocracy in the Service of the State,” pp. 93–7.

¹⁸⁵ *Epistolae variorum*, no. 30, pp. 542–4; see also comments of de Jong, “Charlemagne’s Church,” pp. 103–5; Coville, *Recherches sur l’histoire de Lyon*, pp. 266–96.

possibilities of rulership.¹⁸⁶ Charlemagne's achievements, however extensive or limited one wishes to judge them, would have been impossible without his ability to win over some of the most talented and energetic men of his age.

Not all royal servants, however, were Leidrads, or Alcuins. Thus the purpose of this Chapter was to consider how the king attempted to discipline poor agents. Our investigation suggested that rather than explicitly dismiss those who did a bad job or attempt to interfere blatantly in local appointments, Charlemagne and his advisers worked around the problem. The king announced an ambitious, intrusive vision of what a count should do in his capitularies. When it came to questions of noncompliance, however, the royal approach was essentially to divert or circumvent the problem via three techniques. First, the laws insisted on the importance of correction and on the king's ability to intervene when needed, without spelling out precisely what forms that intervention might take. Second, the court assigned many agents to work on similar issues, so that a bad agent would inevitably be surrounded by those better able to fulfill the king's commands. Third, in cases that were more sensitive or less central to Francia, the king might interfere. Revolts, as we noted here, but will discuss in detail later, were crushed. Border areas were handled with special care, and particular abuses might potentially attract royal remedy. Thus, the king sought to inculcate a new and quite far-reaching vision of royal service, while at the same time offering provisions to make up for his officials' failure to live up to that newly articulated vision.

Finally, what Charlemagne expected of his agents was indeed official service. The version of office holding detectable in Carolingian sources does not match what we would anticipate in a modern understanding of office or even in a twelfth-century version. But the breadth of expectation, the potential of remedy for nonfulfillment of duties, and the emphasis on all members of society working together toward common ends,¹⁸⁷ allows us to conclude that the kind of service Charlemagne sought should indeed be seen as true office holding. That does not mean he always got what he asked for, but the court's ambition was to encourage aristocrats to live up to the new ideals of office promulgated in royal capitularies.

As an approach to rulership, Charlemagne's efforts to work through his agents were both coherent and yet irregular. The kinds of people who worked for Charlemagne are entirely expected. The king tried to win over loyal service and allowed his agents to work on issues that concerned them. All of this is typical of early medieval rulers generally. What Charlemagne

¹⁸⁶ On Alcuin's attachment to his homeland, see Bullough, *Alcuin*, especially pp. 391–400.

¹⁸⁷ For instance, *Capit.* I, no. 33, c. 40, pp. 98–9.

did that was more distinctive was the combination of a coherent and ambitious vision of office holding with a realization predicated on flexibility, overlapping competencies, and inefficiency. Working around poor agents is hardly conducive to the smooth functioning of a region, although it does promise the advantage of not creating (or exacerbating) local opposition. Such an approach typifies royal exercise of power under Charlemagne in its combination of bold vision, assertiveness about royal action, and entirely variable enforcement, and is visible as well, as we saw in [Chapter 1](#), in how Charlemagne apportioned tasks to his agents. Yet careful assigning of tasks and processes of correction alone did not assure Charlemagne loyal service. We must now turn to consider actual revolts in greater detail, to see what happened when the flexible political structures of Charlemagne's realm were fully breached.

3 Fractured control: Charlemagne's response to dissent

The limits of unity: a typology of dissent

Charlemagne and his advisers sought to rule most of Western Europe, with premodern tools of control and coercion at their disposal. In addition to the other problems attendant on such an effort, one major challenge in this task was to respond to dissent, in the sense of public criticism of the ruler or realm. Not everyone agreed with Charlemagne all the time, and the panegyrics of the poets or the reality of the successes Charlemagne did win should not blind us to this fact. Looking at instances of dissent, of outright rejection of Carolingian authority, helps us see some of the forces working against unity in the empire.¹ Dissent reveals for us fissures in the empire, cracks in the imperial structure Charlemagne and his advisers created.² The circumstances and people involved in dissent map the fault lines in the empire.³ These fault lines, in combination with other factors of disunity and diversity, may not have derailed Charlemagne's efforts to rule his empire as *an* empire, but they certainly made the task harder.⁴ Dissent could take many forms, ranging from delays in implementing royal commands, to opposition to particular policies, to outright rebellion. Looking at different forms of dissent can tell us something about the tools available to Charlemagne and his advisers as they sought to contain and eliminate opposition throughout the empire. Through our examination of control and coercion in these first Chapters, some of the characteristic ways the king and court attempted to rule have become evident, such as a preference to work around problems or a reliance on trying to attack the same problem in many ways at once. Some of these typical patterns of rulership will recur

¹ Airlie, "Charlemagne and the Aristocracy," pp. 98–101; K. Brunner, *Oppositionelle Gruppen*, particularly his introduction, pp. 7–13.

² On structural divisions from a rather different angle, see Semmler, "Reichsidee und kirchliche Gesetzgebung," p. 57.

³ See also Airlie, "Not Rendering unto Caesar," p. 489.

⁴ Nelson, "Kingship and Royal Government," p. 415.

in the investigation of dissent to follow. This chapter must also face directly a pattern of rulership that has thus far remained in the background, namely, the threat and the reality of violence. Charlemagne may well have managed to win over most of the aristocracy most of the time. But when persuasion and other rewards faltered, the potential of violence remained. Examining responses to dissent, then, involves an encounter with some of the tools of control now familiar to us, but also brings us face-to-face with the violence that underlay Carolingian governance.

In looking at dissent, we need to distinguish between minor criticisms and revolt, between a temporarily disgruntled office holder and a traitor.⁵ Not all instances of dissent are equal and analyzing them thus requires some kind of framework for organizing the kinds of dissent evident in the sources.⁶ That is, we need to develop a sort of typology of dissent in the reign of Charlemagne. The most detailed work thus far on opposition in the Carolingian world is that of Karl Brunner, who has emphasized that political protest in the Carolingian era was a question of shifting allegiances between kings and nobles, rather than an opposition between the king and the aristocracy.⁷ What is more problematic is Brunner's sense of increasing royal weakness in the face of aristocratic opposition, and of a coherent growing aristocratic factionalism.⁸ This vision of the aristocracy is now challenged for the reign of Louis the Pious, where it once found more support, and it has even less to recommend it for the reign of Charlemagne.⁹ Even if one does not accept all of Brunner's ideas about

⁵ While he is interested in peasant-lord conflict, rather than political revolt, I have found Chris Wickham's work a useful model for thinking about gradations of conflict: Wickham, "Space and Society." Also helpful is Jinty Nelson's survey of the forms of bad kingship in the Carolingian period: Nelson, "Bad Kingship," and her comments in Nelson, "Opposition to Charlemagne."

⁶ There has not been a great deal of work on this issue in the Carolingian period. Studies of other eras during the Middle Ages that I have found conceptually useful include Althoff, *Spielregeln der Politik*; E.A.R. Brown, "Reform and Resistance"; O. Brunner, *Land and Lordship*; Depreux (ed.), *Revolte und Sozialstatus*; Erkens, "Fürstliche Opposition"; Kagay, "Structures of Baronial Dissent"; Leyser, "Otto I and his Saxon Enemies"; Maddicott, *Simon de Montfort*; Oexle, "Die Kultur der Rebellion"; Reuter, "Peace-Breaking"; Valente, *The Theory and Practice of Revolt*. There is a much more extensive literature on opposition to the early Arnulfing-Pippinids, before Carolingian power was firmly established. Examples include Busch, "Vom Attentat zur Haft"; Fouracre, "The Long Shadow"; Geuenich, "... noluerunt obtemperare ducibus Franchorum"; Richter, "Die 'lange Machtergreifung'"; Wolfram, "Der heilige Rupert und die antakarolingische Adelsopposition"; and many of the essays in Jarnut, Nonn, and Richter, with Becher and Reinsch (eds.), *Karl Martell in seiner Zeit*.

⁷ K. Brunner, *Oppositionelle Gruppen*, pp. 12–13.

⁸ K. Brunner, *Oppositionelle Gruppen*, Chapters 3–5.

⁹ See the survey and critique of older literature in K.F. Werner, "*Hludovicus Augustus*," especially pp. 33–54, and for new views on the nature of political culture under Louis the Pious: De Jong, *The Penitential State* and Booker, *Past Convictions*.

political factions, however, his point about the nature of political opposition is important. This essential insight helps us understand that dissent is a matter of particular circumstances and particular loyalties, not of unchanging parties or simplistic definitions of family relations and status. Thus, in trying to understand dissent within the Carolingian world, we need to build up an overview from whatever limited evidence of dissent we have, rather than trying to use a sense of family ties and political connections as a guide for how factions might have worked. The evidence for such an effort is admittedly minimal, particularly if one confines oneself, as I will largely do here, to sources strictly contemporary with Charlemagne.¹⁰ Nonetheless, the sources we do have allow us to appreciate at least the possible forms dissent could take, if not the reasons or context behind each moment of dissent.

Let us then begin with a consideration of the available evidence for a typology of dissent. The first issue we must address is that there is a difference between pointed advice and dissent. Not all critiques of rulership were necessarily problematic. For instance, a famous example from the reign of Charlemagne of a critique of the king is Alcuin's admonitions on how best to convert the Avars after the debacle of the early attempts at Saxon conversion.¹¹ Some of Alcuin's enthusiasm for mercy and justice was even adopted, such as his encouragement to redeem hostages in the wake of the Avar conquest.¹² The idea of religious leaders, in particular, guiding kings has a venerable history in the Judeo-Christian tradition. In a more immediately Carolingian context, Mayke De Jong has made a compelling argument that Louis the Pious's court fostered an atmosphere of *admonitio* and *correctio*, expressed in public acts of penance by the ruler and others, in which encouragement of the ruler to follow Christian dictates was not only permissible but necessary.¹³ De Jong suggests that this context of correction and admonition goes back to Charlemagne.¹⁴ Certainly, an interest in good rulership and the

¹⁰ The primary exception is Einhard, whose evidence I will use. See also discussion of contemporary sources in the [Introduction](#), p. 7. This means we will leave aside the dream visions of a suffering Charlemagne. On such texts, see preeminently Dutton, *The Politics of Dreaming*, chapter 3.

¹¹ Alcuin, letters nos. 107 (pp. 153–4), 110 (pp. 157–9), 111 (pp. 159–62), 113 (pp. 163–6).

¹² Alcuin, letter 118 (p. 173) to Charlemagne and letter 119 (p. 174) to Pippin of Italy. For the use of hostages generally, see Kosto, "Hostages in the Carolingian World."

¹³ De Jong, *The Penitential State*, especially chapter 3, and De Jong, "Admonitio and Criticism of the Ruler."

¹⁴ De Jong, *The Penitential State*, pp. 113–7. The key study now for the reign of Charlemagne is Buck, *Admonitio und Praedicatio*, with extensive further bibliography. On the use of historical texts to convey such corrections, see Nelson, "History-Writing," pp. 439–42.

cultivation of collective litanies were characteristic of Charlemagne's court.¹⁵ But, as De Jong notes, the role of penance in these processes of correction under Louis was a new development, albeit with deeper roots. Our issue of whether or not one could openly criticize Charlemagne is a rather different question. Public penance of the kind that shaped the reign of Louis and that De Jong has convincingly reinterpreted as central to the nature of Louis' rule was not performed by the ruler himself during Charlemagne's lifetime. We thus need to consider in more detail the contexts in which Charlemagne's people expressed their displeasure with their king.

Such a typology of dissent requires us to distinguish opposition to particular ideas or actions from actual rebellion. I would suggest that political criticism of Charlemagne during his lifetime took two main forms, namely, targeted opposition to particular activities and outright revolts. There were likely deeper currents of dissatisfaction with the king, but these remain harder to analyze. However, examining a variety of ways in which explicit dissent was manifested allows us to gauge the nature of the challenges Charlemagne faced and to evaluate his responses to these challenges.

Opposition to particular policies

The most common form of dissent during the reign of Charlemagne was opposition to particular decisions. A given aristocrat might object to a specific goal pursued by the king or court without falling into treason. The purpose of this section is not to develop a list of all policies developed by the court to which someone in the empire objected. Rather, a brief look at a few important incidents can reveal some trends in how the king and court responded to these moments of challenge.¹⁶

One example of opposition to royal plans is the reference in the sources to those who are killed or injured while announcing the justice of the king.¹⁷ We need to be careful about what these elliptical references

¹⁵ On litanies generally: McCormick, *Eternal Victory*, pp. 358–61. Litanies to mark a famine: *Capit.* I, no. 21, p. 52, and see comments of Mordek, "Karls des Großen zweites Kapitular" (which includes a new edition of the capitulary). Litanies before a campaign: Charlemagne's letter to Fastrada, in *Epistolae variorum*, no. 20, pp. 528–9, here pp. 528–9, lines 28–39, and 1–8; and see McCormick, "The Liturgy of War."

¹⁶ Zimpel, "Unliebsame Herrscher-Erlasse," raises the possibility of signs of interference with capitularies, which could be another sign of pushing back against royal power, but his discussion is questionable.

¹⁷ For instance, *Capit.* I, no. 34, c. 16, p. 101 (also ed. Eckhardt, "Die Capitularia missorum specialia," p. 502).

mean.¹⁸ Justice can imply judicial rights and basic fairness or the claims to these, as it does in English, but it can also signify property and financial privileges.¹⁹ Those announcing the king's justice could, given the brevity of the references, be taken either way.²⁰ The position of the first of these references, however, in the *Capitulare missorum generale*, which enacts a full-scale judicial reform, including codifying some changes gradually introduced, suggest that we should interpret it in a broader light.²¹ The king ordered his agents to enforce a new vision of justice and not everyone liked it. The vision of justice itself cannot be counted a failure. As we have seen, the king indeed managed very well to change conceptions of office and judicial functioning in the Frankish realm. But the selling of this vision to the aristocracy was more problematic.²² The eventual success in encouraging new ways of giving justice does not negate the fact that the first efforts at inculcating these new ideas, or indeed sometimes subsequent efforts thereto, did not always work.²³ We should also highlight what such references suggest about the content of dissent, namely, that there were people in the empire who objected to the new approach to governance and justice.²⁴ It would be helpful to be able to identify what specifically about royal justice was perceived as problematic, but the limited evidence does not make this possible.

¹⁸ Particularly given the recent study arguing for financial meaning: Magnou-Nortier, "Note sur l'expression '*iustitiam facere*'"; and see comments of Fouracre, "Carolingian Justice," pp. 801–2.

¹⁹ McKitterick, "Perceptions of Justice," p. 1081, with reference to the examples in Niermeyer, *Mediae Latinitatis Lexikon*, vol. 1, pp. 746–50. See also du Cange, *Glossarium*, vol. 4, pp. 472–5.

²⁰ For example, *Capit.* I, no. 35, c. 55, p. 104: "Ut inquiratur si aliquis homo propter iustitiam domni imperatoris annuntiando occisus sit vel aliquid mali passus sit."

²¹ *Capit.* I, no. 33, c. 31, p. 97: "Et his qui iustitiam domni imperatoris annuntiant nihil lesiones vel iniuria quis machinare praesumat neque aliquid inimicitiae contra eos movere. Qui autem praesumpserit, bannum dominicum solvat, vel, si maioris debiti reus sit, ad sua presentia perducere iussum est." Note too the emphasis on justice in the capitulary overall, not on financial matters; see Ganshof's survey of the capitulary content: Ganshof, "Charlemagne's Programme of Imperial Government," for details.

²² Airle, "Charlemagne and the Aristocracy," p. 91.

²³ We do well to remember here Ganshof's vision of governance that proceeds in fits and starts; Ganshof, "The Impact of Charlemagne," pp. 61–2 (p. 152 in the reprint). See also Nelson, *Charlemagne and the Paradoxes of Power*, p. 14 (p. 38 in the reprint).

²⁴ While royal agents may have had objections to the new system, it did sometimes offer the population the potential of playing royal servants off against each other, or at least attempting to do so; for example, *Capit.* I, no. 73, c. 6, p. 165: "Dicunt ipsi comites, quod alii eorum pagenses non illis obediant nec bannum domni imperatoris adimplere volunt, dicentes quod contra missos domni imperatoris pro heribanno debeant rationem reddere nam non contra comitem; etiam etsi comes suam domum illi in bannum miserit, nullam exinde habeat reverentiam, nisi intret in domum suam et faciat quaecumque ei libitum fuerit."

We can, however, say something about the broad judicial context that prompted dissent. The reference to the murder of the king's agents for announcing his justice in some of the most important legislation produced by the court is striking. This may not be outright revolt, but it is an indication that getting the empire to run on a new course was not simple.²⁵ Not all aristocrats wanted to be counts in Charlemagne's model of that office.²⁶ Not everyone welcomed those who arrived to announce the justice of the king.²⁷ Not all people thought that this emphasis on intensive justice and royal power was a good idea.²⁸ What Charlemagne was trying to do was both new and intrusive and often sloppy and poorly designed. The Franks simply did not always accept all royal actions smoothly and positively. Even if the court considered that they were simply enforcing long-standing expectations about justice, such regulations were seemingly felt by the population to be intrusions. It was not inevitable that it was those "announcing the king's justice" who would raise the most problems. One could imagine that the king's men announcing the need to pay tolls, for example, might not always be warmly welcomed in local communities even if the demand for payment could be anticipated.²⁹ Yet, it was the judicial reforms that prompted the reaction; we have no evidence at all of similar attacks on agents for any other cause. This is perhaps not surprising given the extent of the judicial reforms, but it is also a hint that the judicial changes Charlemagne and his men sought to inculcate in fact succeeded.

Another example of a case where at least segments of the Frankish aristocracy seem to have objected to a royal decision is the conquest of Italy in 773–4. The impact of this conquest on Charlemagne's rulership will absorb our attention later, but for now we can note two key points.³⁰ The first is that the conquest of Italy was a departure from the model set by Pippin III, who invaded Italy twice but then levied fines and went home, leaving the Lombards still in control. The second point to underline in this context is that there is at least minimal evidence that the Franks were not enthused about invading Italy yet again, such as Einhard's testimony about Frankish resentment of such campaigns

²⁵ See also K. Brunner, *Oppositionelle Gruppen*, p. 66.

²⁶ For example, *Capit.* I, no. 73, c. 3, p. 165.

²⁷ *Capit.* I, no. 33, c. 31, p. 97, as cited in Note 21.

²⁸ *Capit.* I, no. 69, c. 6, p. 159, making clear that one cannot avoid royal justice.

²⁹ Which is another frequent concern of royal texts. See, for example, *Capit.* I, no. 44, c. 13, pp. 124–5; and discussion in McCormick, *Origins*, pp. 640–7; Siems, *Handel und Wucher*, pp. 449–52; Adam, *Das Zollwesen*, pp. 213–17. On Frankish toll exemptions, see Stoclet, *Immunes ab omni teloneo*, especially pp. 65–86.

³⁰ See full discussion in [Chapter 8](#), pp. 407–12.

under Pippin.³¹ Regardless of this opposition, and the innovations Charlemagne's approach to Italy entailed, the Franks went along with it.

These two examples of royal goals pursued by Charlemagne that did not meet with the universal or immediate support of all the Franks reveal a few key features of opposition to Charlemagne that we should emphasize. It must be admitted that the evidence on dissent is diffuse and limited. But there are some general conclusions we can reach. First of all, one common thread in both cases we examined here is a pushing back against efforts to innovate. Charlemagne and his advisers innovated a great deal, a process that was not always welcomed by the aristocracy. Second, in both cases the opposition is only barely visible. This is a function of the nature of our sources, but it does underscore the importance of reading the texts carefully for such breaks in the façade they create of universal support for Charlemagne. That a king this intrusive and this innovative should spark dissent at times is hardly shocking, but we can only perceive the dissent obliquely.

Third, there is little evidence of much effort to deal with dissent. In the case of the invasion of Italy, Charlemagne pushed ahead, and the eventual success of the endeavor likely placated those who had not been keen to join the expedition in the first place. In the case of judicial reform, we do not really know what was decided "about those who are killed while announcing the king's justice," but we do know that the court continued, and arguably increased, the issuing of capitularies insisting on just the same judicial reforms that seemed to have caused the problems in the first place.³² This is not to say that an effort was not made to convince those who were less enamored of the new approaches. No doubt discussion of judicial procedures at assemblies, for example, played a role.³³ Those willing to enforce the new procedures would have benefitted financially. Men of a certain status who persisted in bad behavior could expect to be brought to the king for incarceration or exile until they learned their lesson.³⁴ On the whole, however, the ultimate response of Charlemagne and his court to dissent about particular policies was largely in line with what we have already seen in terms of disciplining

³¹ Einhard, *Vita Karoli*, c. 6, pp. 8–9, and discussion on p. 409.

³² See further discussion of the timing of the capitularies in [Chapter 7](#), pp. 350–7.

³³ On the educational and instructive features of assemblies, and the court more broadly, see the [Introduction](#), p. 35.

³⁴ *Capit.* I, no. 77, c. 12, p. 171: "Ut homines boni generis, qui infra comitatum inique vel iniuste agunt, in praesentia regis ducantur; et rex super eos districtionem faciat carcerandi, exilandi usque ad emendationem illorum." Note here too that there is greater clarity about potential punishments for these men of status than there was for the counts we studied in [Chapter 2](#).

agents. The king and court kept on doing what they had decided to do. Those who disagreed were not necessarily convinced, but they were surrounded by those who did agree. As long as their recalcitrance did not slide into outright disobedience, the dissent, on the structural scale, was largely ignored. On an individual level no doubt efforts were made to convince hold-outs of the advantages of the court's decisions, using both carrots and sticks.³⁵ But in broader terms, problems were frequently overlooked.

Rebellion³⁶

Diffuse concerns and objections to particular decisions could perhaps be smothered or avoided. But outright revolt is a different matter. Charlemagne faced three (or potentially four) major revolts during his more than forty years as king of the Franks, and eventually king and emperor of many others too. These are the revolts of Hrodgaud in 775–6, Hardrad in 785–6, and Pippin the Hunchback in 792.³⁷ Historians use the name of the supposed leaders of these revolts to identify them. This is useful, as it is a reminder of the personal nature of early medieval society. And contemporaries did understand the revolts to have coalesced around figureheads in each case. The personal names, however, should not distract from the point that these revolts were not only personal. The revolts were prompted by individual grievances and particular, mutable networks of alliances. But they were also prompted by profound structural problems that presented serious difficulties to any effort to maintain control of the empire. A brief survey of each revolt in turn, followed by an analysis of the royal response, will allow us to investigate how the king and court sought to react to some of these deeper divisions evident in Carolingian society.

³⁵ See also: Nelson, *Charlemagne and the Paradoxes of Power*, p. 14 (p. 38 in the reprint).

³⁶ One could posit a semantic distinction between "rebellion" and "revolt," as is done, for example, by Philippe Depreux, "Introduction," in his edited volume, *Revolte und Sozialstatus*, p. 17. However, I will use both words interchangeably to refer to direct challenges to Charlemagne's authority. The word used in the sources to discuss revolt is most often *coniuratio*; on the development of this term, which refers to rebellion in the context of oath-breaking, see Oexle, "*Conjuratio* et *ghilde* dans l'antiquité"; and in a longer version, Oexle, "*Conjuratio* und *Gilde* im frühen Mittelalter."

³⁷ On Hrodgaud: K. Brunner, *Oppositionelle Gruppen*, pp. 43–5; Krah, *Absetzungsverfahren*, pp. 13–15; H. Krahwinkler, *Friaul im Frühmittelalter*, pp. 119–43; on Hardrad: Overviews in: K. Brunner, *Oppositionelle Gruppen*, pp. 47–53; K. Brunner, "Auf den Spuren," pp. 5–12; Krah, *Absetzungsverfahren*, pp. 16–19, 39; on Pippin: Krah, *Absetzungsverfahren*, pp. 36–40; K. Brunner, *Oppositionelle Gruppen*, pp. 63–5; Bund, *Thronstruz*, pp. 392–3; on Hardrad and Pippin in comparison, Nelson: "Opposition to Charlemagne."

Hrodgaud

The revolt of Hrodgaud in 775–6 is the simplest case. The revolt was based in the region of Friuli, in the North of Italy, one of the traditional duchies of the Lombard kingdom. The duchy was home to some of the Lombard kings and several well established monastic houses. It was a politically important region, and correspondingly not always easy for Lombard rulers to manage.³⁸ Hrodgaud was the duke of Friuli when Charlemagne conquered the Lombard kingdom.³⁹ The king chose to leave many Lombard authorities, including the dukes, in power in the wake of the conquest.⁴⁰ Several Lombard aristocrats, led by Hrodgaud, revolted against royal authority when Charlemagne was preoccupied, as he so often was, with the Saxons far from Italy.⁴¹ Nonetheless, the king and court responded promptly, evincing a speed characteristic of Charlemagne when he was pressed.⁴² The revolt taught the Franks a very serious lesson about the need to manage Italy more carefully.⁴³ Charlemagne punished the ringleaders who did not die in battle with loss of office.⁴⁴ In reaction, from 776 onward we see the beginnings of a Frankish policy of slowly transforming Italy with Frankish administrative structures and personnel.⁴⁵ Over time, Lombard dukes were replaced with counts, almost always of Northern descent.⁴⁶ The king had decided that Italy needed to be more securely tied into Francia by reworking its political institutions partly on Frankish lines.⁴⁷ The first lesson of this revolt for our theme of response to dissent is obvious: The king needed to integrate conquered lands, not just conquer them in the first place, and this integration was a process that he

³⁸ For orientation, see Krahwinkler, *Friaul im Frühmittelalter*, chapter 3.

³⁹ On what we know about Hrodgaud himself, see Krahwinkler, *Friaul im Frühmittelalter*, pp. 126–34. The claim in the revision of the Royal Frankish Annals (s.a. 776, p. 43) that Charlemagne established Hrodgaud as duke is not sustainable; see Gasparri, “Il passaggio dai Longobardi ai Carolingi,” p. 35.

⁴⁰ K. Brunner, *Oppositionelle Gruppen*, p. 43.

⁴¹ See account in the Royal Frankish Annals s.a. 775, p. 42.

⁴² On the speed of the response to revolt of Hrodgaud, see the Royal Frankish Annals s.a. 775 and 776, pp. 42–4. The suppression of the other revolts also involved notable speed. For instance, see the reworking of the Royal Frankish Annals appended to the start of the Annals of Fulda, in *Annales Fuldenses* s.a. 785 and 792, pp. 11–12. On the speed of travel generally, see McCormick, *Origins*, pp. 470–83, and Gravel, *Distances, rencontres*, pp. 83–92.

⁴³ See further Krah, *Absetzungsverfahren*, pp. 12–13.

⁴⁴ Krahwinkler, *Friaul im Frühmittelalter*, pp. 119–43; Gasparri, “Istituzioni e poteri,” pp. 115–18. The exact number of individuals who lost offices is unclear; see further Chapter 2, pp. 106–7. Hrodgaud himself died in the battle to put down the revolt; see the Royal Frankish Annals s.a. 776, pp. 42–4.

⁴⁵ K. Brunner, *Oppositionelle Gruppen*, pp. 44–5.

⁴⁶ Hlawitschka, *Franken, Alemannen*, pp. 25–30.

⁴⁷ An overview, with ample attention to what the Franks did not change, is Tabacco, *The Struggle for Power*, pp. 116–36.

could not take for granted.⁴⁸ All these new lands taken over by the king held the potential for rebellion, and needed care and attention.⁴⁹ Italy is unusual for the nature of this revolt: A direct attack on royal authority in a conquered region.⁵⁰ But whether it was the constantly shifting political alliances of Christians and Muslims in Northern Spain, or the in-fighting and guerilla warfare of the Saxons, or the residue of Bavarian support for the deposed Agilolfings, new lands inevitably brought at least the danger of rebellion.⁵¹ For the Franks, the constant conquests were a sign of divine favor and part of the story of Frankish manifest destiny; for those conquered, the turn of events that brought them under Frankish domination were not cause for celebration.⁵²

The revolt of Hrodgaud is also notable for being the only "foreign" or conquered area under consideration here. As noted earlier, there were numerous counterattacks, by those the Franks were trying to conquer, against Carolingian control. One could thus argue that these other attacks, such as the constant Saxon rebellions, were also revolts against Charlemagne. Or conversely one could argue that the Hrodgaud incident should be seen as part of the process of conquest, and not considered in the same context as the revolts against Charlemagne in territory that was Frankish or at least held for a longer time. I have chosen to analyze Hrodgaud and the events in Italy as a revolt alongside the Frankish ones because the conquest had been completed by the time of the revolt, and a first effort made to establish Carolingian control. Unlike Saxony, which was subject to only partial pacifications through most of the reign, the kingdom of Italy had been formally claimed by Charlemagne by 775, and at least a start made at setting up Carolingian structures of authority that would persist.⁵³ Charlemagne's efforts to establish Frankish power in

⁴⁸ Brunner's argument that we can already see the revolt of Hrodgaud as an "internal" matter is compelling; K. Brunner, *Oppositionelle Gruppen*, p. 44, and see further below.

⁴⁹ Some of Charlemagne's administrative reforms raised similar issues in regions long controlled by the Franks; K. Brunner, *Oppositionelle Gruppen*, p. 43, and see discussion of Hardrad, pp. 140–9.

⁵⁰ And even here the revolt did not last long; see Wickham, *Early Medieval Italy*, pp. 47–8.

⁵¹ On Northern Spain, see the overview in Collins, *Charlemagne*, pp. 65–76; on Saxony: Lintzel, "Die Unterwerfung Sachsens," especially pp. 33–54 (pp. 97–114 in the reprint); on Bavarian support for the Agilolfings: Airlie, "Narratives of Triumph," p. 116.

⁵² On a Frankish sense of manifest destiny, see, for example, the Royal Frankish Annals s.a. 783, p. 64. See also K. Brunner, *Oppositionelle Gruppen*, p. 43 on the mixed loyalties of the conquered.

⁵³ Noble, *The Republic of St. Peter*, pp. 138–48 on the early stages of setting up Carolingian authority in Italy. While Noble argues the overall structures were not settled for some time, the early efforts to begin making more permanent arrangements are clear. The structures of governance in Italy did continue to develop during the Carolingian period, but Charlemagne's reign saw the establishment of a basic framework.

Saxony in 785, in comparison, were largely not sustained and the final arrangements looked quite different from the first attempts.⁵⁴ Thus, the revolt of Hrodgaud can be best understood in the context of the other revolts against Carolingian authority in firmly Carolingian lands.

This interpretation means that the revolt of Hrodgaud is, remarkably enough, the only revolt in a conquered territory during Charlemagne's reign.⁵⁵ Given the length of the reign and the number of people and places conquered, this is actually quite surprising. We must be clear that this does not mean Carolingian expansion did not encounter resistance, including Saxon defaults, the abbot of San Vincenzo insulting Charlemagne, or the constant pressures the Franks faced in the wake of the conquest of Italy.⁵⁶ But for the most part, such tensions did not erupt into outright revolt. We cannot take this as an indication of a lack of tension between Frankish overlords and their newly conquered and often restive populations.⁵⁷ But we can and should see it as a sign of royal force. Charlemagne's control of the lands he conquered, for the most part, was strong enough to withstand the tensions without matters coming to a head in an outright revolt. It is also worth emphasizing that this one outright revolt of a conquered people took place in Italy, perhaps the most sophisticated region conquered by the Carolingians (although Agilolfing Bavaria approximated the sophistication of Lombard Italy), and very early in Charlemagne's reign there.⁵⁸ After 776, Charlemagne's rule in Italy may not have been smooth, but its very validity was not openly challenged, nor did the king face similar attacks in other areas.⁵⁹

⁵⁴ On the integration of Saxony, see [Chapter 2](#), pp. 101–2 and the references given there.

⁵⁵ On the treatment of this incident as a revolt and not just a bump in the conquest, see further comments of K. Brunner, *Oppositionelle Gruppen*, p. 44 and Krahwinkel, *Friaul im Frühmittelalter*, pp. 123–4.

⁵⁶ For one in the long line of Saxon revolts, see the Royal Frankish Annals s.a. 798, pp. 102–4. On the San Vincenzo incident, see *Codex Carolinus*, letters 66 and 67, pp. 594 and 594–7, respectively; Hodges, *Light in the Dark Ages*, p. 30; McCormick, “The Liturgy of War,” pp. 3–5. On tension in conquered areas, see, for example, the drawn-out negotiations between the papacy and the Franks over land settlements: Noble, *The Republic of St. Peter*, pp. 138–83. Part of the problem in Italy was the need to interact with multiple parties: The Byzantine empire, the independent duchies in the South, the papacy, and the conquered Lombards. For further discussion of the San Vincenzo incident, see also [Chapter 2](#), p. 108, [Note 107](#).

⁵⁷ See, for example, the letter of Sigwald of Aquileia reminding Charlemagne to respect ecclesiastical prerogatives; *Epistolae variorum*, no. 8, p. 505, and discussion on p. 233.

⁵⁸ There are some helpful observations on the nature of Lombard society and why it fell to the Franks in Delogu, “Lombard and Carolingian Italy,” pp. 301–3. On the sophistication of pre-Carolingian Bavaria, see Airlie, “Narratives of Triumph,” pp. 98–100. On the timing of the revolt: Wickham, *Early Medieval Italy*, pp. 47–8.

⁵⁹ And success in one area can encourage success in others; see too the emphasis on Charlemagne as king of the Franks and of the Lombards in the *Annales Nazariani* s.a. 786 when discussing the revolt of Hardrad (passage is cited in [Note 77](#)); edited in

The second point we must note is that even those who participated in this revolt, could, over time, redeem themselves.⁶⁰ Aio, a Lombard who had been implicated in the events of 775–6, eventually became a frequent adviser to the king.⁶¹ For some rebels, at least those who had not themselves fomented the revolt, there was the potential of pardon and welcome back into the Carolingian fold.⁶² The close relatives of those involved in opposition to the Carolingians could also be won over to at least tacit support of the Carolingians, for whom Paul the Deacon can serve as an example.⁶³ Furthermore, one of the reasons the king was able to withstand the revolt is that not all Lombards opposed him.⁶⁴ The ability to reward and work with members of conquered peoples not only brought the king loyalty, but also fundamentally weakened any opposition by limiting its ability to draw on the entire population in question.⁶⁵ Charlemagne rarely ordered the wholesale confiscation of land, and even property lost by those judged traitors was often returned over time. The revolt of Hrodgaud is clearly a sign of the danger posed by the conquered realms, which remained a challenge throughout the reign.⁶⁶ But we must also remember that this challenge was largely kept a challenge, rather than expanding into outright revolt, and that the king put out the welcome mat for those who were willing to enter Carolingian service.⁶⁷

Untersuchungen zur frühalemannischen Annalistik, ed. Lendi, pp. 159–63; text is also available in SS I, pp. 41–3.

⁶⁰ Such as those who receive land back from the king; DK nos. 187 and 208.

⁶¹ Krahwinkler, *Friaul im Frühmittelalter*, pp. 137–42; Hlawitschka, *Franken, Alemannen*, pp. 24, 113–14. We have already encountered Aio in his role as *missus* in the Rižana case.

⁶² Another example is the count Theodold implicated in the revolt of Pippin the Hunchback, whose property the king restored by royal diploma in 797; see [Note 141](#) for details.

⁶³ Many facets of Paul the Deacon's career, and particularly his political loyalties, continue to be hotly debated by scholars. Some important perspectives, which also include further bibliography, are: Goffart, *Narrators*, pp. 329–431; McKitterick, "Paul the Deacon and the Franks," and see now her *History and Memory*, chapter 3; Chiesa (ed.), *Paolo Diacono. Uno scrittore*; Pohl, "Paulus Diaconus und die 'Historia Langobardorum'."

⁶⁴ See Krahwinkler, *Friaul im Frühmittelalter*, pp. 120–3 on participants in the revolt; and also K. Brunner, *Oppositionelle Gruppen*, p. 43.

⁶⁵ As was also done in Saxony; see Goldberg, "Popular Revolt," p. 476.

⁶⁶ Nelson, "Kingship and Royal Government," pp. 387–8.

⁶⁷ As the court put it: "Notum sit omnium nostrorum fidelium magnitudini presentium scilicet et futurorum, qualiter propter nomen domini nostri Iesu Christi, qui per sanctam evangelicam lectionem misericordissime admonet dicens: 'Dimittite et dimittetur vobis' ideoque pro eius ineffabili et aeterna remuneratione, quia Aioni Longobardo, qui peccatis imminetibus partibus Avariae de regno nobis a deo concesso Italiae fugivit, postquam illum protegente domino dilectissimus filius noster Pipinus rex Langobardorum cum nostro exercitu hostiliter adquisivit, omnem culpam ei indulsumus et omnes res proprietatis suae, quascumque tunc tempore iuste et rationabiliter de quolibet adtractu iure proprietario vestitus erat et possidebat in territorio Foriulense et Vicentino atque Veronense, quando infidelis et fugitivus

Hardrad

The second major revolt Charlemagne faced was in some ways a greater threat, but is also harder to understand, a factor not unconnected to the level of danger posed by the revolt. In 785 Hardrad, a (probably, we will return to this point) Thuringian aristocrat,⁶⁸ and some of his fellows revolted against the king.⁶⁹ All the sources agree that some aristocrats in the Eastern part of the empire attempted to throw off Charlemagne's authority, but that Charlemagne discovered the plot, and had the guilty blinded, exiled, or deprived of their honors.⁷⁰ Einhard tells us only three men were killed when they resisted arrest, but his stressing of the number dead may indicate an effort to cover up a more extensive body count.⁷¹ The *Annales Nazariani*, which provide the fullest account and one written from an East Frankish perspective, claim the immediate provocation for the revolt was a proposed and resented marriage alliance between a Frank and the daughter of a Thuringian. After the intended revolt was discovered, the Thuringians fled to Fulda, but despite a safe passage from the king, some were still subjected to punishments including blinding and exile.⁷²

The primary purpose of this chapter is to consider how Charlemagne responded to revolt. In the case of the revolt of Hardrad, we must devote some detailed attention to the causes of the revolt. It is only by understanding the precipitating factors that we can offer a full analysis of the ways in which Charlemagne's authority was challenged and how he and his men reacted to that challenge. The historiography on the revolt has suggested two main reasons for it; one of these is a regional explanation, the other an imperial one.⁷³ The first alleged cause is the continued independence of a region like Thuringia, which was traditionally Frankish but with some independent traditions. These regional traditions make the revolt at least partially a peripheral matter even though it took place in the

apparuit, reddere iussimus et denua per preceptum auctoritatis nostre plenissima deliberatione concessisse et in omnibus confirmasse cognoscite." DK no. 187, p. 251.

⁶⁸ On the aristocratic nature of the revolt, see Depreux, "Défense d'un statut," pp. 98–104.

⁶⁹ Revision of the Royal Frankish Annals s.a. 785, p. 71: "Facta est eodem anno trans Rhenum apud orientales Francos adversus regem inmodica coniuratio, cuius actorem Hardradum comitem fuisse constabat. Sed huius indicium cito ad regem delatum est, eiusque sollertia tam valida conspiratio citra ullum grande periculum in brevi conquievit, auctoribus eius partim privatione luminum partim exilii deportatione condemnatis."

⁷⁰ Full review of the sources in McKitterick, *Perceptions of the Past*, chapter 3. As is the case with all of the revolts, we do not know the names and fates of everyone involved.

⁷¹ Einhard, *Vita Karoli*, c. 20, pp. 25–6.

⁷² See full citation of the account in Note 77. And on the unusual features of this account, K. Brunner, "Auf den Spuren," especially pp. 5–12.

⁷³ Airlie, "Charlemagne and the Aristocracy," 98–9.

Frankish North.⁷⁴ However, even if we see Hardrad as a local figure, we must also understand him as a member of the *Reichsaristokratie*, and thus a person with imperial ties as well.⁷⁵ The second explanation focuses on a more general discontent with Charlemagne and potentially with Carolingian rule more broadly, which admittedly was still a relatively new phenomenon in 785–6, only forty-some years old depending on the starting point one chooses.⁷⁶ Both of these explanations make sense and likely did contribute to the revolt.⁷⁷ To understand the revolt, we need to consider it in both regional and imperial terms.

⁷⁴ Nelson, "The Siting of the Council," p. 154; Innes, "Kings, Monks and Patrons," pp. 313–14.

⁷⁵ Depreux, "Défense d'un statut," p. 101; K. Brunner, *Oppositionelle Gruppen*, p. 52.

⁷⁶ Innes, "Kings, Monks and Patrons," p. 314.

⁷⁷ Our most complete account comes from the *Annales Nazariani* s.a. 786, in *Untersuchungen zur frühalemannischen Annalistik*, ed. Lendi, pp. 159–63, which I cite here, and in *SS I*, pp. 41–3: "thuringi autem consilium fecerunt ut carolum regem francorum dolo tenerent et occiderent. si ergo hoc scelum atque nefandissimum crimen perpetrare non praevaluissent saltem hoc cupiebant constituere ut non ei oboedissent neque obtemperassent iussis eius. quod nequam consilium regi multa tempora latere nequaquam potuit. ille enim eo quod erat prudens ac mitis valde pacientissime hoc deportabat. igitur transactis aliquis temporibus transmisit iam prefatus rex legatum suum ad aliquem de illis thuringis propter filiam suam sponsam scilicet unius franci quam secundum legem francorum sponsatam habuisse cognoscebatur ut tempore statuto ei reddedesset sponsam suam. ille enim parvi pendens iussa regis non tantum spopondit se illam reddere sed etiam insuper congregavit pene universos thuringos proximosque suos et voluerunt se defendere de rege francorum. rex namque haec audiens iratus est valde atque indignans hoc missis ex satellitibus suis contra eos qui sagaciter atque fiduciatiter contra eos perrexerunt predia possessionesque eorum devastantes. thuringi namque timore perterriti ad corpus beati bonifacii martyris confugerunt ut per merita venerationemque ipsius sancti rex releveretur illis noxam dolum insidiasque. quae praeparare conati fuerunt. porro pater monasterii illius consolabatur eos verbis pacificis dulcisque. sermonibus per nuntiumque suum intimavit haec omnia regi. rex ergo destinavit ad eos legatum suum ut ad se cum pace venirent. qui mox ad eum profecti sunt steteruntque coram rege. rex nemphe sciscitabatur ab eis si verum an falsum fuisset quod ei intimatum fuerat de illis scilicet ut de morte eius cogitarent et si constituere nisi fuissent ut parvi pendissent mandata illius. illi enim nullo modo poterant neque condignaverunt hoc negare. fertur namque unum ex illis dixisse ad regem si colligi sociique mei mihi consentire conprobarentur tu numquam postmodum citra renum flumen transire vivus cognoscebaris. rex vero quoniam erat mitissimus atque sapientissimus super omnes reges qui fuerunt ante eum in francia moderantissime illud deportavit. transactis igitur quibusdam diebus transmisit rex ipsos thuringos una cum missis suis aliquos in Italiam et ad sanctum petrum quosdam vero in neustriam atque in equitaniam per corpora sanctorum scilicet ut iurarent fidelitatem regi liberisque eius quod et ita actum esse conprobatur. qui exinde revertentes nonnulli ex illis detenti sunt in via et evulsi esse noscuntur oculi eorum. aliqui vero pervenerunt ad civitatem uuagionum et ibidem comprehensi sunt et exinde exiliati et illuc evulsi esse cognoscuntur oculi eorum. possessiones vero vel agros eorum omnes infiscati esse noscuntur. rex ergo inlesus atque incolomis permanens optime regens regnum francorum atque langobardorum romanorumque eo quod celorum rex protector eius esse conprobatur. etiam prefatus rex ad romam perrexit."

The two levels of explanation, Thuringian particularity and general discontent with Carolingian rule, come together in the suggestion that the imposition of a Frankish comital system in Thuringia lay behind the revolt.⁷⁸ Thuringia, like other areas over which the Merovingians exercised a more or less strong control, was gradually reshaped into a region of Carolingian-style counties.⁷⁹ However, the evidence for possible changes in countship in Thuringia under Charlemagne is unclear at best.⁸⁰ The increased prevalence of and reliance on counts is obvious, but the details of the process are not.⁸¹ The situation varied even within Thuringia.⁸² Moreover, even if countship had been recently introduced, that alone would not necessarily explain the revolt, especially since Charlemagne radically reworked the office of count everywhere in the Frankish world.⁸³ Indeed, Charlemagne precipitated extensive processes of local power reconstructions elsewhere. One example is the annexation of Chur, where the bishop's control over the region was delimited and a more typical Carolingian division of powers between count and bishop was introduced.⁸⁴ The bishop of Trier was similarly forced to accept a diminution of the powers he had acquired during Late Antiquity, when Charlemagne instituted a local count and assigned to him some powers previously reserved for the bishop.⁸⁵ Aquitaine seems to have experienced a thorough reform of all office holding, and moreover to have done

⁷⁸ This interpretation goes back to the research of Walter Schlesinger, *Die Entstehung*, pp. 50–2; Schlesinger, “Das Frühmittelalter,” pp. 351–2.

⁷⁹ Innes, *State and Society*, pp. 185–6.

⁸⁰ See the discussion of the sources and the earlier literature in Schulze, *Die Grafschaftsverfassung*, pp. 258–63.

⁸¹ Schlesinger emphasizes the limited evidence for counts in Thuringia, arguing the process of introducing Carolingian-style agents did not proceed very far. In addition to the references earlier, see his “Zur politischen Geschichte,” pp. 58–60 (pp. 46–7 in the reprint). Compare Bosl's examination of the Main region, in which he emphasizes the lack of clear county structures, preferring to see countship as office rather than as locally grounded and district based: “Wir hören von der Tätigkeit von Grafen in unserem Raum, aber man kann von Grafschaftssprengeln nur im allgemeinsten Sinn vorsichtig sprechen. Grafschaft war um 800 noch wesentlich Interessenvertretung, Kommissariat, Funktion.” Bosl, *Franken um 800*, pp. 28–9.

⁸² A point recognized as well by Schlesinger, *Die Entstehung*, pp. 50–85.

⁸³ See discussion in [Chapter 1](#) and [2](#).

⁸⁴ For some overviews of early medieval Chur-Rhaetia, and the changes introduced by the Carolingians, see Clavdetscher, *Rätien im Mittelalter*; Kaiser, *Churrätien im frühen Mittelalter*, pp. 30–65.

⁸⁵ The Trier decisions are known via later charters of Zwentibold and Louis the Younger, the latter of which returns certain rights to the bishops: *Die Urkunden Zwentibolds und Ludwigs des Kindes*, charter 18 of Zwentibold and charter 17 of Louis the Younger. The bishop of Trier may have received compensation from Charlemagne for his losses in the form of an unusual immunity grant, DK 66. For discussion of the Trier situation, see Anton, *Trier im frühen Mittelalter*, especially pp. 129–30 and Kaiser, “Karls des Großen Immunitätsprivilegien.”

so under the nominal control of a child, the future Louis the Pious.⁸⁶ If Thuringians and East Franks needed to get used to new systems of political control, they were hardly alone in facing such changes.⁸⁷

Régine Le Jan has argued that a broader process of Charlemagne instituting control, including new counts, but also entailing a restructuring of monastic politics, reorientating of relationships among noble families, and interference in marriage alliances,⁸⁸ contributed to the revolt.⁸⁹ Her multi-prong interpretation is similar to that of Innes, who also makes the important point that the rebels were not permanently opposed to Carolingian rule, but were instead "members of groupings which had previously prospered in a loose alliance with the Carolingians and now railed at royal intrusiveness."⁹⁰ Rosamond McKitterick has read the events of 785–6 in the context of aggressive royal actions in Saxony, and their concomitant disruption of elite culture throughout the Frankish world.⁹¹ This wider explanation of pushing back against large-scale political change makes more sense than a simple change in county structure, which is in any case hard to perceive clearly. Such larger scale political change can also play out in specific circumstances. Jinty Nelson has pointed to charters from the 780s, which mention a

⁸⁶ Astronomer, *Vita Hludowici imperatoris*, c. 3, pp. 290–2; for an overview of Carolingian county structures in Aquitaine, see Auzias, *L'Aquitaine carolingienne*, pp. 3–76 (pp. 39–87 in the reprint). See also K. Brunner, *Oppositionelle Gruppen*, pp. 45–6.

⁸⁷ This conclusion does fit in with an insistence in earlier research on the extent of changes introduced by the Carolingians. Even if one rejects, for example, Bosl's model of "colonization" (in his *Franken um 800*), the extent of Carolingian intervention is clear. More recent work too illustrates the impact of the Carolingians on regional societies (I would point here to the key recent regional studies, like W.C. Brown, *Unjust Seizure*; Hummer, *Politics and Power*; Innes, *State and Society*, etc.). The details vary (such as Hummer's argument that Carolingian control in Alsace depended more on monastic networks than on counts; *Politics and Power*, pp. 61–2), but the sense of change does not. Of course, we must note that not all changes in countship and counties were due to Charlemagne. Compare, for instance, Borgolte's argument that the primary transition points in the functioning of counts in Alemannia came under Pippin III and Louis the Pious (Borgolte, *Geschichte der Grafschaften*, for instance, pp. 257–8).

⁸⁸ The *Annales Nazariani* account suggests that the marriage alliance in a sense was the straw that broke the camel's back; a possibility we should not dismiss out of hand, although it is not replicated in the other sources. See also the comments of Depreux, "Défense d'un statut," pp. 102–3, and Le Jan, "Élites et révoltes," pp. 409–10. Generally, one consequence of early medieval incest legislation, and thus approach to marriage, was to help link elites to the center by forcing aristocrats to choose brides beyond local communities, see Ubl, *Inzestverbot*, especially pp. 497–8.

⁸⁹ Le Jan, "Identité thuringienne"; Le Jan, "Élites et révoltes," pp. 404–10.

⁹⁰ Innes, *State and Society*, p. 186. On the links between rebels and those who remained loyal, see K. Brunner, "Auf den Spuren," pp. 18–20.

⁹¹ McKitterick, *Perceptions of the Past*, chapter 3; also McKitterick, "Histoire et mémoire." See too K. Brunner, "Auf den Spuren," pp. 7–10.

Hardrad, potentially our rebel leader.⁹² The case Nelson discusses involves an estate donated to Fulda by a man named Hardrad.⁹³ The royal *missi* investigated the gift and awarded it to the royal fisc because earlier charters seem to demonstrate that the monks should have had the land all along. At that point, the king donated the land to Fulda.⁹⁴ It is entirely unclear if this is our Hardrad,⁹⁵ but regardless of whether or not the charter involved the Hardrad later implicated in revolt, this kind of royal manipulation of local power networks could well have provided a context for revolt. In this case, however, the provocation would have been particular to Hardrad rather than, or in combination with, more extensive aristocratic dissatisfaction. Yet, even if there was a particular trigger associated with Hardrad, he did not act alone. And his fellows too would have had contact with Carolingian governance, even if their interactions with Carolingian power were not inevitably negative.⁹⁶ We catch glimpses of them here and there, but royal *missi* were constantly at work interfering with local arrangements and providing a forum for local power holders to vie for royal support and regional authority.⁹⁷ Such a broader explanatory framework emphasizes the importance of the wide-ranging political changes Charlemagne introduced. Therefore, we might be best off thinking about the revolt in terms of a combination of specific local grievance and broader Carolingian aristocratic politics.⁹⁸

This explanation is still not entirely satisfactory, however, as just about all the changes proposed as causes for Thuringian or East Frankish dissent can be found in the rest of the empire without causing revolt. And, as Innes has argued, even in Thuringia these same issues did not always provoke revolt, even among those linked to the rebels.⁹⁹ Le Jan suggests that the expansion of Carolingian-style monasteries in particular may well have been a lightning rod for dissent, but again this is hardly

⁹² Nelson, "Opposition to Charlemagne," pp. 18–20. See also K. Brunner, *Oppositionelle Gruppen*, pp. 50–1.

⁹³ The original gift is *Urkundenbuch des Klosters Fulda*, ed. Stengel, no. 119, p. 186.

⁹⁴ DK 140 (ChLA 12, no. 532). Also edited in *Urkundenbuch des Klosters Fulda*, ed. Stengel, no. 147, pp. 211–13.

⁹⁵ Hardrad's family and connections are not entirely clear; compare the effort of K. Brunner, *Oppositionelle Gruppen*, pp. 49–53 to sort out the evidence. The name is not common in the Fulda records, but one would want further prosopographical data in order to make a firm judgment.

⁹⁶ Innes, *State and Society*, p. 186.

⁹⁷ Such as a case claiming a serf for a royal estate heard by the *missi*: *Recueil des chartes de l'abbaye de Saint-Benoît-sur-Loire*, ed. Prou and Vidier, no. 9, p. 24.

⁹⁸ I think both are involved, although there is better evidence for general aristocratic dissent, as pointed out by Depreux, "Défense d'un statut," p. 104.

⁹⁹ Innes, *State and Society*, p. 186.

particular to Thuringia or East Francia.¹⁰⁰ Interference by royal *missi* was not an unusual circumstance.¹⁰¹ As we have seen already in our consideration of official service, the political structures fostered by the Carolingian court tended to encourage differences in political life, within an overarching Carolingian framework. We can certainly point to aspects of rulership in the Eastern sections of the empire that could have been perceived as problematic or intrusive, but we can find such aspects everywhere and with a great deal of local variation within larger regions. The undercurrents that could lead to revolt are clear, but the reason why this played out differently in a specific region is harder to fully perceive. Moreover, most of what we know about the rebels' motivation comes from an account concerned to emphasize royal mercy, which makes it difficult to reach a full evaluation of what lay behind the rebellion.¹⁰² Einhard blames Charlemagne's current wife Fastrada, which may be a convenient way of removing any stain on the reputation of his hero, and is in any case more convincing for the revolt of Pippin the Hunchback.¹⁰³ We do know that some of those involved claimed they had not broken faith because they had never sworn loyalty to the king, a problem Charlemagne strove to remedy by making the entire population swear an oath of loyalty.¹⁰⁴ The *Annales Nazariani*'s claim, which does not entirely coincide with a court perspective,¹⁰⁵ that a marriage alliance gone awry was the spark that set off the explosion of the revolt, may or may not be true, but is still helpful because of its reminder about particularity. The coming of Carolingian power introduced clear changes in county

¹⁰⁰ Le Jan, "Identité thuringienne"; see also her "Emhilt de Milz," p. 533.

¹⁰¹ To give just one example from a different region, Count Milo of Narbonne was forced to return property the *missi* judged he had illegally usurped: *Histoire générale de Languedoc*, ed. Devic and Vaissete, vol. 2, preuve 6, cols. 47–50.

¹⁰² Not that mercy was the only interest of the text. See also Innes, "Kings, Monks and Patrons," pp. 314–15, and K. Brunner, "Auf den Spuren," on the complex motivations of authors.

¹⁰³ Einhard, *Vita Karoli*, c. 20, pp. 25–6. Fastrada is also blamed in the revision of the Royal Frankish Annals s.a. 792, pp. 91–3; and see analysis of Nelson, "The Siting of the Council," pp. 157–63.

¹⁰⁴ *Capit.* I, no. 25, c. 1, p. 66: "Quam ob rem istam sacramenta sunt necessaria, per ordine ex antiqua consuetudine explicare faciant, et quia modo isti infideles homines magnum conturbium in regnum domni Karoli regi voluerint terminare et in eius vita consiliati sunt et inquisiti dixerunt, quod fidelitatem ei non iurasset." And see discussion in M. Becher, *Eid und Herrschaft*, pp. 78, 80–4, 195–201, 212–14.

¹⁰⁵ On these annals and their perspective on events see K. Brunner, *Oppositionelle Gruppen*, p. 49, K. Brunner, "Auf den Spuren"; Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 3, section 6; and the best discussion now available, that of McKitterick, *Perceptions of the Past*, pp. 82–9. For the range in sources, see McKitterick, "Histoire et mémoire," pp. 267–78, with attention to later imaginings of the events in Carolingian historiography. I would like to thank Helmut Reimitz for sharing his book with me prior to publication.

structure, monastic practice, and family relationships. This is true everywhere Charlemagne ruled, including in the heartlands of Carolingian power, where his revision of comital expectations, remaking of the scale of royal service, and careful manipulation of monastic landholding introduced significant changes to previous practice. These kinds of changes in how things worked are not the explanation of a particular revolt, but the backdrop that made revolt possible. This general context of political dissent is the key foundation for understanding the revolt, yet that there was some regional element, even if confused, is also clear.¹⁰⁶ Events exploded into outright rebellion when these long term grievances intersected with specific constellations of aristocratic networks and particular circumstances, such as an ill-fated marriage, which pushed tension into revolt.

Modern political scientists studying large-scale political change have reached similar conclusions. The tipping point for revolt is often impossible to predict, because it depends on contingent individual responses to broader structural triggers and on a level of political dissent often kept hidden. Political scientists can analyze clearly the structural problems, but not the accumulation of individual choices that eventually precipitates events into revolt. Moments like the fall of the Berlin Wall or the more recent Arab Spring (especially in Tunisia) emerge out of circumstances we can analyze, but such events are rarely predicted because the individual human elements that shape them are not visible or traceable.¹⁰⁷ As historians, this is the best we can do, at least for this revolt. We can interpret the background tensions that came to a head in the revolt of Hardrad, but the individual, accumulated triggers that pushed matters into revolt escape precise historical analysis. Why there was revolt in East Francia/Thuringia in 785–6 and not elsewhere is a question that cannot be fully answered. Yet, whatever the gaps in our knowledge, the extent and complexity of resistance to Carolingian rule is evident in the revolt of Hardrad. This was a serious matter indeed.¹⁰⁸ In reaction, the king had the perpetrators blinded, exiled, and deprived of honors, in addition to those killed while the revolt was put down. If we believe the *Annales Nazariani*, the king in essence tricked the perpetrators into coming to him, and answered the attempt to keep him from crossing the Rhine with a demonstration of the territorial extent of his power,

¹⁰⁶ Nelson, "Opposition to Charlemagne," pp. 13–14. See further in this Chapter on regional vs. ethnic elements.

¹⁰⁷ Such as the work of Timur Kuran, including "Now Out of Never." I would like to thank Chris Darnton and Andrew Yeo for discussing these issues with me.

¹⁰⁸ Airlie, "*Semper Fideles*," p. 137.

sending the Thuringians throughout the empire to swear loyalty to him.¹⁰⁹ Those who sought to exclude Charlemagne from part of his realm got a forceful reminder of the reach of the king's authority.

A recent reinterpretation of the events of 785–6 underscores the gravity of the challenge to Charlemagne. Rosamond McKitterick has suggested that the group of events designated as the revolt of Hardrad in the historiography is actually two separate revolts, namely, the revolt of Hardrad in 785 involving East Franks, and a Thuringian revolt in 786.¹¹⁰ McKitterick has usefully pointed to significant divergences in the sources that tell us about 785–6. Whether this should be taken as a sign that there were two separate revolts or that the understanding of the events in the years in question was muddled is debatable. Le Jan has made the useful suggestion that the divergence in the sources is a reflection of complex identity politics, in which the same people can be seen as both Thuringian and East Frankish.¹¹¹ Moreover, the lack of any sign in the sources that two separate events took place suggests we should continue to treat the revolt of Hardrad as one incident that could be read in either a Thuringian or East Frankish context. Given the multiple loyalties of Carolingian aristocrats, such a double identification is not astonishing.¹¹² Even if there were two revolts, both were aristocratic, centered East of the Rhine, and constituted an attack on royal authority. If McKitterick is correct that Charlemagne faced two different revolts in the mid-780s, our sense of the challenge faced is heightened, although a broader East Frankish revolt may have been more of a threat than one more fully localized in Thuringia. However, the conclusions reached here about dissent and responses to it remain largely the same regardless of whether we should disentangle the events of 785 and 786. Most likely, however, is that we are faced with one event stemming from multiple causes and thus leading to divergent readings in the sources.

¹⁰⁹ For these details, see the *Annales Nazariani* account cited in Note 77. Helmut Reimitz suggests a Merovingian precedent for this response (*History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 3, section 7), but it seems to me there are significant differences.

¹¹⁰ McKitterick, *Perceptions of the Past*, pp. 63–89, especially pp. 88–9; McKitterick, “Histoire et mémoire,” p. 272.

¹¹¹ Le Jan, “Identité thuringienne,” pp. 14–18. See also a similar approach in Nelson, “Opposition to Charlemagne,” p. 13, Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 3, section 6, and Le Jan's observations on a continued sense of Thuringian identity that is not inevitably a matter of long-standing ethnic continuity: Le Jan, “Élites et révoltes,” pp. 406–7. It is also helpful to think about the emphasis on ethnic identity in the revolt in the context of changing conceptions of Frankish identity and the political visions they suggested, as Reimitz notes.

¹¹² And such confusions in vocabulary are long-standing: Bosl, *Franken um 800*, pp. 10–11.

Despite some limits on our information, we can raise a few essential points for our discussion of revolt and royal reaction thereto. First, the king could not take loyalty for granted, even within more traditionally Frankish areas.¹¹³ The aristocracy did not inevitably think that Charlemagne or any Carolingian rule was to be welcomed.¹¹⁴ The king needed to ensure loyalty, not presume it.¹¹⁵ However, this is yet another situation where we note the limits on revolt. The case of Hardrad is famous for setting off a sort of genealogy of revolt, a point made by the Royal Frankish Annals when one of his descendants conspired in a revolt against Louis the Pious.¹¹⁶ This has been taken as a sign of a submerged but persistent strain of dissent in the Empire.¹¹⁷ Stuart Airlie has suggested, however, a reading of this later revolt that emphasizes the extent to which the plotters were involved in a Carolingian framework later in the Carolingian period.¹¹⁸ Even if there was a sort of family history of revolt, it remained a limited one. Furthermore, the revolt did not succeed, of course, and was on the whole not an example regularly followed, presumably because the risks were clear.¹¹⁹

The history of revolt presents us with something of a paradox. The discussion of loyalty or its absence in the sources hints at the problem: At least some aspects of how Charlemagne ruled were strange to his subjects. The response of the king in making his views on loyalty and oaths clearer was an attempt to stave off any further revolt, but it was also a sign of the king's insistence on pursuing his vision of rulership even when this was confusing or unwelcome to at least some aristocrats.¹²⁰ The second point I would like to stress is the rarity of such revolts.¹²¹ These two features of the reign, namely, the rarity of revolt and royal insistence on an intrusive vision of governance, create an odd combination. The king,

¹¹³ Innes, "King, Monks and Patrons," p. 313.

¹¹⁴ Airlie, "Charlemagne and the Aristocracy," p. 98.

¹¹⁵ M. Becher, *Eid und Herrschaft*, pp. 200–1.

¹¹⁶ The Royal Frankish Annals s.a. 817, p. 148: "Huius coniurationis principes fuere Eggideo, inter amicos regis primus, et Reginhardus camerarius eius et Reginharius Meginharii comitis filius, cuius maternus avus Hardradus olim in Germania cum multis ex ea provincia nobilibus contra Karolum imperatorem coniuravit." See also Thegan, *Gesta Hludowici*, c. 22, p. 212.

¹¹⁷ Noted by McKitterick, *History and Memory*, pp. 117–18. See also K. Brunner, *Oppositionelle Gruppen*, pp. 49–52.

¹¹⁸ Airlie, "Semper Fideles," pp. 131–3.

¹¹⁹ Airlie, "Charlemagne and the Aristocracy," p. 99.

¹²⁰ M. Becher, *Eid und Herrschaft*, pp. 83–4, 214. The earliest oath text is found in *Capit.* I, no. 23, c. 18, p. 63. For Charlemagne's views on the oath, see *Capit.* I, no. 25, c. 1, p. 66 (cited in Note 104). There is a debate over the dating of this text, but Becher offers compelling grounds to consider it a reaction to the revolt of Hardrad, but also to date it to 789. See M. Becher, *Eid und Herrschaft*, pp. 79–85.

¹²¹ See also Airlie, "Charlemagne and the Aristocracy," pp. 99–101.

the scion of a young dynasty, was doing some new things, which the aristocracy did not like and yet he faced little outright revolt.¹²² Why? I have two answers. First, much of what Charlemagne was doing was new, but it was also complex and sometimes contradictory. Thus, it was not always inevitably clear to the aristocracy exactly what their king was up to. Second, the king brought his people, on the whole, great rewards.¹²³ Some of his ideas on rulership may have been unexpected, but as long as the rewards kept coming, most of those the king ruled were willing to work with Charlemagne even if he advocated some different approaches to rulership. For the most part, the king managed to overcome the distrust of his young dynasty, the residual regional tensions even within Francia, and the typical dislike of royal authority so often felt by medieval aristocrats.¹²⁴ Third, there were clearly local triggers to this event, which are not fully visible in the sources. However, all of these hints of local context played out in a larger political setting. The revolt was not regional *per se*; it was an expression of broader political anxieties, which took an especially blatant form in a specific location. But the processes at work were empire wide, not local.¹²⁵

Pippin the Hunchback

Our final moment of revolt is the rebellion of Pippin the Hunchback in 792. Some scholars have argued that this was the most dangerous revolt faced by the king, but again its causes and rationale are cloudy.¹²⁶ The renaming of Charlemagne's younger son Carloman as Pippin in 781 was likely a sign of the exclusion of Pippin the so-called Hunchback¹²⁷ from the succession.¹²⁸ However, it is conceivable that Pippin's status in the planned succession may not have been entirely clear until his participation in the revolt destroyed any chance of his sharing further in his

¹²² On aristocratic dislike of royal reform, see, for example, the response to the king's judicial changes as discussed earlier. On the youth of the Carolingian dynasty: Fouracre, "The Long Shadow," pp. 17–19.

¹²³ Nelson, "Kingship and Royal Government," p. 412.

¹²⁴ On distrust of the dynasty, Fouracre, "The Long Shadow," is useful. On residual regional tensions: Note the constant emphasis on the Thuringian heritage of the rebels in the *Annales Nazariani* as cited in Note 77. See also a similar argument in Airlie, "Charlemagne and the Aristocracy," p. 101.

¹²⁵ A similar approach to the regional elements of the revolt is taken in Nelson, "Opposition to Charlemagne."

¹²⁶ Airlie, "Charlemagne and the Aristocracy," pp. 99–100.

¹²⁷ The reference to Pippin as a hunchback depends ultimately on Einhard, *Vita Karoli*, c. 20, p. 25.

¹²⁸ The evidence is reviewed in Kasten, *Königssöhne*, pp. 139–40.

father's power.¹²⁹ We know of the severity of the revolt because of the lavish rewards the king handed out to those who remained faithful in 793; however, the proximate causes of the revolt are once again harder to gauge.¹³⁰ This was also a matter of aristocratic dissent but, unlike in Hardrad's revolt, the conspirators found a Carolingian figurehead. That they chose to revolt in this way might indicate the revolt was an attack on Charlemagne's authority and perhaps on the claims of his other sons, but not on the Carolingian dynasty as a whole.¹³¹ It is unclear if Pippin was a front for the conspirators or more directly involved in the plot.¹³² In any case, Pippin and the aristocracy jointly participated in the revolt, which the king and his men crushed like the two others before it.¹³³ The punishments for this revolt, at least in some accounts, were especially bloodthirsty, with the ringleaders being put to death, while others were deposed from their offices.¹³⁴ Charlemagne had largely avoided the issue of intra-familial rivalry since his brother's death, but in 792 he had to confront this always tricky negotiation of family prestige and individual power once again.¹³⁵ Yet, these kinds of family tensions are inevitable in a hereditary monarchy and can also be seen as an argument for interpreting Pippin's revolt as less surprising and thus potentially less dangerous than that of Hardrad.¹³⁶

The intricacy of family politics may offer a more specific explanation for the revolt of Pippin the Hunchback. Carl Hammer interprets the revolt as stemming from an effort by Pippin, with the support of his half-brother Charles the Younger, to establish himself as a sub-king in Bavaria.¹³⁷ The primary evidence for this argument is a reference in a Bavarian sacramentary to a "King Pippin," who Hammer argues cannot

¹²⁹ Kasten argues that the exclusion was not clear until 789, when Charles the Younger was granted the "duchy" of Le Mans, but she surveys all the possible points: *Königssöhne*, pp. 138–51. See further discussion in [Chapter 8](#), pp. 415–17, arguing that the exclusion was obvious from early on.

¹³⁰ For what we do know see Nelson, "The Siting of the Council," 156–7. On rewards for loyalty: *Annals of Lorsch* s.a. 793, SS I, p. 35.

¹³¹ Airlie, "Charlemagne and the Aristocracy," pp. 99–100.

¹³² Airlie, "Charlemagne and the Aristocracy," p. 100.

¹³³ See also M. Becher, *Eid und Herrschaft*, pp. 82–3 on aristocratic involvement in the revolt.

¹³⁴ Revision of the Royal Frankish Annals s.a. 793, p. 93: "auctores vero coniurationis ut rei maiestatis partim gladio caesi, partim patibulis suspensi ob mediatum scelus tali morte multati sunt." The specification of the method of execution is unusual. The *Annales Fuldenses* s.a. 792, p. 12 tell us the rebels were punished with death, exile, or blinding.

¹³⁵ See also K. Brunner, *Oppositionelle Gruppen*, p. 65.

¹³⁶ I agree here with Nelson, "Opposition to Charlemagne," pp. 22–3.

¹³⁷ Hammer, "Pipinus rex," building on earlier work linking the revolt of Pippin to Bavarian events; see also Kasten, *Königssöhne*, pp. 149–50 and Note 143.

be Pippin of Italy because he was already named in a list of people to pray for.¹³⁸ It seems equally possible to me, given the chaotic quality of many such lists, that the name was simply repeated. However, even if Hammer is right that the name is meant to evoke Pippin the Hunchback, whatever some Bavarians may have thought about Pippin's status, there is no evidence at all that can be linked to Charlemagne's court to suggest any effort by Charlemagne, or his sons, to establish a sort of Bavarian sub-kingdom. The revolt is also often linked with Bavaria, on the assumption that the recent conquest left unresolved grievances and because Charlemagne was in Bavaria in the years leading up to the revolt. On this view, the revolt can be seen again as a sign of the tensions attendant on the conquests.¹³⁹ On the other hand, this revolt cannot be characterized as a Bavarian event, even if some Bavarian discontent was present. Indeed, the revolt can even be argued to demonstrate the extent of Carolingian success in Bavaria, if Bavarian grievances were expressed in an otherwise Frankish revolt.¹⁴⁰ As Jinty Nelson has pointed out, the only known supporters of Pippin, the count Theodold and Peter bishop of Verdun, both held power in the Western sections of the empire.¹⁴¹ Unlike the revolts of Hrodgaud and Hardrad, it is hard to interpret Pippin's revolt in a primarily regional perspective.

Even if there is no reason to see Pippin's revolt as an effort to establish or to build on a kingdom in Bavaria, the rebellion should be seen as a family affair, and not only because he revolted against his father. The echoes of the Old Testament story of Abimilech in the Annals of Lorsch account of the revolt, as explicated by Jinty Nelson, hint that Pippin's deepest support came from his mother Himiltrude, Charlemagne's discarded concubine (or perhaps wife),¹⁴² and potentially her relatives.¹⁴³

¹³⁸ See also Hammer, "The Social Landscape."

¹³⁹ M. Becher, *Eid und Herrschaft*, pp. 72–3; Airlie, "Narratives of Triumph," pp. 117–18; Classen, "Bayern," pp. 184–5 (p. 245 in the reprint).

¹⁴⁰ See discussion of this point in Airlie, "Narratives of Triumph," pp. 116–17, and see also K. Brunner, *Oppositionelle Gruppen*, pp. 60, 64–5 who questions the extent of these links between the revolt of Pippin and the situation in Bavaria.

¹⁴¹ Nelson, "Opposition to Charlemagne," pp. 10–11. We know of these figures because they were later pardoned. For Theodold, see DK 181 (ChLA 16, no. 637); and Theodold's gift in response to Saint-Denis (ChLA 16, no. 638). Le Jan's effort to specify Theodold's county (Le Jan, "Prosopographica Neustrica," p. 265), has not been generally accepted. On Peter, see *Capit.* I, no. 28, c. 9, p. 75. Carl Hammer may also be right to see in the Bavarian Helmoïn another partisan of Pippin who was later pardoned; "Pipinus rex," pp. 246–9.

¹⁴² On Himiltrude, see Konecny, *Die Frauen*, pp. 65–7.

¹⁴³ Nelson, "Opposition to Charlemagne," pp. 11–12. Compare the reading of this evidence in Hammer, "Pipinus rex," p. 262.

In some senses, then, Pippin's revolt is a more traditional Carolingian affair, where family tension was played out on a political stage.

The strongest message of this revolt, however, is the paucity of challenge to Charlemagne. This final revolt of Pippin, like the revolt of Hardrad, does make it clear that there were important segments of the aristocracy who objected to Charlemagne's rule. Yet, a revolt spear-headed by a family member is entirely typical of the Carolingian period, but Charlemagne faced only one. And this despite the turmoil surrounding succession arrangements and the years he kept his eldest son Charles the Younger on tenterhooks.¹⁴⁴ The limited impact of family dissent is further underscored by the king's response. Charlemagne chose to send Pippin to a monastery rather than exact a more severe penalty.¹⁴⁵ The punishment of monastic confinement does imply that Pippin was thought to be, if not entirely neutralized, at least a manageable threat.¹⁴⁶ Moreover, the king bounced back quickly from the grave danger posed by this revolt.¹⁴⁷ By 794 the king was moving into an era of intense governance, great confidence, and startling ambition.¹⁴⁸ The revolt of 792 may have been an interruption of Charlemagne's progress, but we can also understand the overcoming of the revolt as itself contributing to the optimistic and aggressive attitude that we see demonstrated at the Synod of Frankfurt in 794 and regularly thereafter.¹⁴⁹ We must appreciate the depth and gravity of the challenges posed by the three revolts we have examined here, but we must also appreciate how fully these obstacles were overcome.¹⁵⁰

The lessons of revolt

In surveying the revolts faced by Charlemagne we can identify three primary areas of tension and dissent, namely, conquered lands, aristocratic opposition to royal authority, and divisions within the royal family itself.¹⁵¹ These are hardly shocking as loci of dissent in a medieval

¹⁴⁴ There is a full discussion of the succession arrangements in [Chapter 8](#), pp. 415–23.

¹⁴⁵ Revision of the Royal Frankish Annals s.a. 792, pp. 91–3; Einhard, *Vita Karoli*, c. 20, pp. 25–6.

¹⁴⁶ Krah, *Absetzungsverfahren*, p. 36 for details of the punishment.

¹⁴⁷ See also Ganshof, "Charlemagne," pp. 523–4 (pp. 20–2 in the reprint).

¹⁴⁸ Further discussion of 794 in [Chapter 7](#), pp. 362–4.

¹⁴⁹ See also Nelson, "The Siting of the Council," pp. 151–4.

¹⁵⁰ Also emphasized by Airlie, "Charlemagne and the Aristocracy," pp. 99–101.

¹⁵¹ On conquered lands as a source of tension, see Nelson, "Kingship and Royal Government," p. 387. On aristocratic backlash, see, for example, Hannig, "Zentrale Kontrolle." On family divisions: Airlie, "Charlemagne and the Aristocracy," pp. 99–100.

kingdom. They were undoubtedly serious issues that hindered any effort on the part of the king and his advisers fully to rule the realms Charlemagne conquered, and indeed even the lands he inherited.¹⁵² The Carolingians were a new dynasty, and they were led by a king with some new ideas about rulership, none of which was calculated to induce feelings of comfort and satisfaction in the aristocracy upon which the king inevitably depended.¹⁵³ But the other lesson we must learn from the revolts is the limits of these structural fissures in the empire. The revolts were few in number, confined to the earlier part of the reign, and overcome.¹⁵⁴ Those who survived revolt, or at least some of those, could later be reintegrated into Frankish society.¹⁵⁵ Recent historiography has rightly emphasized the real dangers inherent in these revolts.¹⁵⁶ But these challenges were not as common as one might expect and they were contained.¹⁵⁷

Two of the revolts were more or less regional affairs, and only one was in the center of Carolingian power, which is perhaps itself revealing of shifting centers of gravity and centralizing processes. The sources of tension that could foment revolt were serious structural flaws that could not be repaired.¹⁵⁸ The family issues, for instance, were unavoidable given the peculiarities of Frankish inheritance.¹⁵⁹ However, despite the persistence of these structural flaws the more specific episodes to which they gave rise were overcome. In so doing, the king and his advisers did not heal the fissures or eliminate the sources of tension: They simply managed them.¹⁶⁰ The vision of unity we gain from looking at revolts and royal responses to them indicates the severity of the challenges faced by Charlemagne and his advisers, but it also reveals that in responding to these challenges all that was necessary was a response to the particular situation.¹⁶¹ The king managed quite nicely by dealing with the revolts *ad*

¹⁵² Airlie, "Charlemagne and the Aristocracy," pp. 99–100.

¹⁵³ On aggressive rulership sparking dissent, see Nelson, "Bad Kingship," pp. 19–26.

¹⁵⁴ Even the full survey of Krah, *Absetzungsverfahren*, pp. 7–40 makes this clear.

¹⁵⁵ Such as Theodold, on whom see [Note 141](#).

¹⁵⁶ For example, Nelson, "Making a Difference," p. 172.

¹⁵⁷ Krah, *Absetzungsverfahren*, pp. 38–9.

¹⁵⁸ Matthew Innes' comments on the possibilities of royal/aristocratic relations are conceptually useful here: Innes, "Charlemagne's Government," pp. 85–7.

¹⁵⁹ Airlie, "Charlemagne and the Aristocracy," p. 99; Nelson, "Bad Kingship," p. 7.

¹⁶⁰ As did other early medieval kings in similar circumstances; see Nelson, "Kingship and Royal Government," p. 402.

¹⁶¹ The contrast to later revolts against the Carolingians is interesting. Simon MacLean's reinterpretation of the revolt of Boso, for instance, claims that the Carolingian kings came up with a real solution to the revolt. It did not work in the end, but, in MacLean's presentation, this is due more to dynastic accident than a failure to face the issues head on. MacLean, "The Carolingian Response."

hoc and not attempting to repair the structural issues.¹⁶² Given the king's problems in finding a workable solution to his succession, we can at least plausibly argue that he was well aware of some of the structural problems he faced.¹⁶³ But his answer to these structural problems was specific and not general.

This is not surprising because these structural gaps were not fixable in any realistic manner. But what is a bit more surprising is that his specific solutions did the trick, that the king put band-aids over the cuts in his empire, and that these, for the most part, held. In assuring unity for his realm, the king did not need in fact to dissolve all tensions and divisions; he just needed to manage them as they became unbearable and then move on to the next problem. Moreover, the king avoided reacting until he was dealing with outright revolt. For instance, the *Annales Nazariani* account of Hardrad's revolt suggests that the king intervened not at the first hint of trouble, but when events had come to a head.¹⁶⁴ We must emphasize here that responses to dissent were specific and temporary. But the cumulative effect of these responses was to hold things together in a constantly shifting dynamic of loyalty, reward of service, and simmering resentments. The Charlemagne we see in the management of dissent is not a totalitarian dictator trying to crush any expression of criticism, but a creative juggler responding to situations as they arose, hopefully without dropping too many of the balls at once. This does not mean royal reaction to dissent was not ruthless, for it was. Yet overall, the king's response to the structural problems revealed in the three serious revolts he faced was not structural; rather, it was *ad hoc*, it was dynamic, and perhaps most importantly, it was effective. The key point in terms of our broader consideration of unity in the empire is that handling dissent for Charlemagne meant patching over problems and moving on, not erasing all sources of the problems.¹⁶⁵ Short of outright treason, which was crushed, dissension in the empire was managed, not solved, despite the possibility that such dissension might provoke further revolts. This kind of response to dissent resulted in unity, but it was a unity maintained by specific contingent responses, not by the pursuit of an unchanging ideal vision of uniformity.

¹⁶² Compare Bullough, "*Eiropae Pater*," pp. 104–5.

¹⁶³ Classen, "Karl der Grosse und die Thronfolge," especially pp. 113–21 (pp. 209–16 in the reprint) on the various succession ideas leading up to the *Divisio regnorum*, in *Capit.* I, no. 45, pp. 126–30. And see Chapter 8, pp. 415–23 on Charlemagne's efforts to arrange his succession.

¹⁶⁴ The text is cited in full in Note 77.

¹⁶⁵ Compare Ganshof's assumption that *ad hoc* equals unsuccessful: Ganshof, "Einhard," p. 5.

We must end our consideration of rebellion by asking a final question, namely, why Charlemagne faced no revolts after 792, and thus spent the final two decades of his reign untroubled by outright rebellion. We may never be able to furnish a completely satisfactory answer to a counterfactual question, but we can note some possibilities. First, we have seen that revolt, that of Hardrad and the Thuringians in particular, could be a very serious threat. The lack of any such incidents for the final two decades of the reign suggests not that the aristocracy was not able to revolt, but that on the whole they did not want to.¹⁶⁶ The circumstances which made revolt possible – constant tensions, a huge empire with minimal possibilities for royal oversight, changes in what the king expected of the population – all these factors contributing to revolt persisted. Most of the time, they were clearly not bad enough to make it worthwhile for aristocrats to revolt. It is perhaps not an accident that the last revolt occurred in rough conjunction with the conquest of the Avars, and the vast financial windfall that followed in its wake.¹⁶⁷ At precisely the period when the king had a particular abundance of booty to distribute, the aristocracy ceased to revolt.¹⁶⁸ On the whole, the advantages of Charlemagne's rulership outweighed the negatives for most of the aristocracy, or at least the potential consequences were grave enough to discourage efforts to try to revolt.

Second, the previous two Chapters examined ways in which Charlemagne's governance was irregular and unpredictable. This irregularity could also contribute to the lack of revolts. If one did not know what the king was going to do in any given circumstance, if it was always possible you might get a different response from a royal judge than your neighbor had, if things played out differently in different regions and indeed whenever a new office holder took power, then consistent prods to rebellion and collective action were lessened. Karl Brunner's arguments that much of the dissent against Charlemagne stemmed from parts of the aristocracy pushing back against a royal system is not entirely sustainable for precisely this reason.¹⁶⁹ Certainly, dissent did emerge from responses to Charlemagne's intrusive and often innovative governance.

¹⁶⁶ My presentation here of the ties between Charlemagne and the aristocracy depends in particular on the arguments of Stuart Airlie about how the Carolingians succeeded in turning loyalty toward themselves into a primary component of aristocratic identity. Airlie's analysis can be found in many of his articles, including "Charlemagne and the Aristocracy"; "*Semper fideles*"; "Towards a Carolingian Aristocracy"; etc.

¹⁶⁷ I owe this suggestion to Chris Wickham.

¹⁶⁸ On the arrival of the Avar treasure in Francia, see *Royal Frankish Annals* s.a. 796, pp. 98–100.

¹⁶⁹ Brunner's main arguments about dissent under Charlemagne are found in K. Brunner, *Oppositionelle Gruppen*, chapter 2.

But precisely these differences in political experience undermine the idea that dissent was a reaction to an effort, only partly successful, to create a clear imperial structure, a constitution in the German sense.¹⁷⁰ Charlemagne never attempted to create such a structure. Rather, the variations fostered by his political choices not only impeded such a structure, but resulted in a political world in which different people of necessity had very different political lives. A full-scale revolt requires a group of like-minded people to act with sufficient resources and coordination. The variability of Charlemagne's rulership minimized the possibility of the existence of such like-minded groups able to work together.

Third, when outright revolt did occur it was promptly eliminated. The ringleaders of revolts were killed in battle, executed, blinded,¹⁷¹ exiled, confined to monasteries or subject to property confiscations, depending on the severity of their involvement.¹⁷² Pippin was incarcerated in a monastery; otherwise the figureheads and their closest associates died or were exiled. The revolt of Hardrad provoked a particularly ruthless response. The abbot of Fulda arranged a safe passage for some of those involved in the revolt, but Charlemagne nonetheless had them blinded and exiled.¹⁷³ The speedy and vicious punishment of those most deeply implicated in revolt hardly offered inducement to others to do the same.

Fourth, the lack of revolt in the second half of the reign, even as Charlemagne got older and the issues surrounding the succession became more profound, suggests an accumulated momentum of success. Charlemagne had weathered numerous challenges and built a huge empire without any too lasting a defeat. The roots of the later legend are already visible in some of the contemporary sources.¹⁷⁴ The remarkable series of successes themselves could discourage further revolts. As Stuart Airlie has written "even outright anti-Carolingian opposition could be made to contribute to a system of Carolingian authority and legitimacy, if it could be overcome."¹⁷⁵ None of this is to say that Charlemagne did not have to work hard, throughout the entirety of the reign, to maintain control. However, the span of two decades without revolt did offer the potential for the king and his men to continue

¹⁷⁰ Compare K. Brunner, *Oppositionelle Gruppen*, p. 97.

¹⁷¹ On the punishment of blinding, see Bühler-Thierry, "Just Anger."

¹⁷² See overview of punishments in Krah, *Absetzungsverfahren*, pp. 38–40, 379–80.

¹⁷³ *Annales Nazariani* s.a. 786, in *Untersuchungen zur frühalemannischen Annalistik*, ed. Lendi, pp. 159–63, and in *SS I*, pp. 41–3, as cited in Note 77.

¹⁷⁴ Such as the Paderborn Epic's reference to Charlemagne as the father of Europe: *Karolus Magnus et Leo Papa*, p. 94, line 504.

¹⁷⁵ Airlie, "Towards a Carolingian Aristocracy," p. 121.

ruling in an innovative manner, with at least some confidence that *ad hoc* solutions would fix the inevitable problems that arose.

The threat of violence

Our survey of royal reaction to opposition to particular policies and to actual rebellion has illustrated that Charlemagne's responses to dissent ranged from working around tensions to crushing direct revolt. An effort to circumvent problems was the court's preferred *modus operandi*. However, the threat and the actual use of violence was also a significant, if occasional, tool of rulership and requires some comment here. Charlemagne is notable for his brutality and severity toward those who opposed him. The most obvious example of such brutality is the famous episode at Verden, where Charlemagne responded to the latest Saxon rebellion by having 4500 Saxons beheaded in one day.¹⁷⁶ The mere technical challenges of killing so many by the sword are staggering, and the incident had historical resonance into the twentieth century.¹⁷⁷ Bloodthirstiness of this nature is rare,¹⁷⁸ at least on the scale seen at Verden, but the severity of approach is evident generally in Charlemagne's military practice. His war of attrition against the Saxons,¹⁷⁹ even if it often meant burning of fortresses and small skirmishes, was relentless.¹⁸⁰ Once a land was conquered, the king was prepared to accommodate local tradition and make amends with local aristocrats willing to work with him, but the process of conquest was less conciliatory.¹⁸¹ The rare descriptions of the Frankish host that we do have make clear the fear that was generated by the appearance of the strongest army in the West.

¹⁷⁶ Royal Frankish Annals s.a. 782, p. 62. The incident has prompted extensive discussion. For instance, see the articles collected in part 3 of Lammers (ed.), *Die Eingliederung der Sachsen*, and, more recently, trying to diminish what occurred: Hengst, "Die Urbs Karoli." For the reference to beheading as the method of execution: *Annales Laubacenses* s.a. 782, p. 13: "Saxones rebellantes plurimos Francos interfecerunt; et Karlus, congregatos Saxones, iussit eos decollare."

¹⁷⁷ While a division of the SS was named after Charlemagne, Nazi reaction to him was at times ambivalent largely because of his treatment of the Saxons; see, for instance, Zeck, *Das Schwarze Korps*, pp. 133–4; K.F. Werner, "Karl der Große in der Ideologie."

¹⁷⁸ There is really no sense in the sources of Charlemagne's war as crusades; *pace* Hen, "Charlemagne's Jihad."

¹⁷⁹ The war lasted for over thirty years: See the Royal Frankish Annals, which record, at the minimum, conflict with the Saxons in the years 772–80, 782–5, 793–9, 802, and 804. There is also an excellent basic narrative in M. Becher, *Charlemagne*, chapter 4.

¹⁸⁰ Though the war also had implications for Charlemagne's view of himself and his protection of the church; see also Hauck, "Die Ausbreitung des Glaubens."

¹⁸¹ Although even the aftermath should not be minimized; see for instance, Delogu, "Lombard and Carolingian Italy," pp. 304–10, emphasizing the thoroughness (usually) of the Carolingian takeover.

The story in Notker of Desiderius quailing from his walls at the approach of the huge and well-equipped Frankish army is apocryphal.¹⁸² But it goes back to more reliable information on the impression made by the Franks in full battle array. The Paderborn Epic poet also evokes in colorful detail the impact of the lines of warriors with a mounted Charlemagne at their head.¹⁸³ In addition to fielding a large, if debated, number of soldiers,¹⁸⁴ the Franks were noted for their weaponry,¹⁸⁵ to the point where the king tried to limit its sale outside the empire.¹⁸⁶ The Frankish military juggernaut was not unstoppable, but it was a forbidding and intimidating force. When this military skill is combined with the savagery of the conduct of war, which was at least a possibility when the king felt provoked,¹⁸⁷ the Frankish army as a whole appears as a relentless destructive force, albeit one that the king and court made every effort to keep tightly reined in.¹⁸⁸

The fear and force generated by the Frankish army is an essential facet in understanding Charlemagne's ruthlessness. No one famed as a conqueror is noted for his gentility, but in these practical ways the military force exerted by the king was wielded in such a manner as to generate almost a sense of terror in the king's enemies.¹⁸⁹ The king's

¹⁸² Notker, *Gesta Karoli Magni*, book 2, c. 17, pp. 81–5. And see the comments of Fichtenau, *The Carolingian Empire*, p. 32.

¹⁸³ *Karolus Magnus et Leo Papa*, pp. 92–4, lines 462–86.

¹⁸⁴ Ganshof, *Frankish Institutions*, pp. 65–7.

¹⁸⁵ Verbruggen, "L'armée et la stratégie," pp. 423–5.

¹⁸⁶ *Capit.* I, no. 20, c. 20, p. 51; *Capit.* I, no. 40, c. 7, p. 115; *Capit.* I, no. 44, c. 7, p. 123; *Capit.* I, no. 90, c. 7, p. 190. These prohibitions were not especially effective, as the archaeological evidence shows; see Ziolkowski, "Of Arms and the (Ger)man," pp. 205–6; and Stiegemann and Wemhoff (eds.), 799, vol. 1, pp. 284–92, for some archaeological evidence of weaponry. For a possible echo of the Theodosian Code in this legislation, see Nelson, "Translating Images of Authority," p. 197 (pp. 94–5 in the reprint).

¹⁸⁷ The massacre at Verden, for example, is presented in Frankish accounts as a response to a Saxon rebellion that had killed royal military envoys. Royal Frankish Annals s.a. 782, p. 60: "Et cum reversus fuisset (Charlemagne has gone home after agreeing to peace with the Saxons), statim iterum Saxones solito more rebellati sunt, suadente Widochindo. Et ignorante hoc domno Carolo rege, misit missos suos Adalgisum et Gailonem atque Woradam, ut moverent exercitum Francorum et Saxonum super Sclavos paucos, qui rebelles fuerant. Et supranominati missi in via audientes, quod Saxones rebellati fuissent, coniungentes supradictum scaram, inruerunt super Saxones et nullum mandatum exinde fecerunt domno Carolo regi. Et commiserunt bellum cum Saxonibus; et fortiter pugnantes et multos Saxones interimentes victores exiterunt Franci. Et ceciderunt ibi duo ex ipsis missis Adalgisus et Gailo, in monte, qui dicitur Suntedal." This is the same incident that may have led to the deposition of Worad, discussed in Chapter 2, p. 109.

¹⁸⁸ For one example, see *Capit.* I, no. 48, c. 3, p. 135.

¹⁸⁹ Made manifest in such actions as the destruction of the Irminsul, a religious monument of the Saxons; recorded, for instance, in the Royal Frankish Annals s.a. 772, pp. 32–4. See also Tellenbach, "Die geistigen und politischen Grundlagen," pp. 261–4; Anton, *Fürstenspiegel*, p. 97.

military triumphs were a major factor in his success as a ruler. He was celebrated for these actions, which brought him glory, booty, and enthusiastic aristocratic participation.¹⁹⁰ Yet, there are a few contemporary voices that, while they do not criticize the savagery of Carolingian war, at least echo an understanding of some of its consequences.¹⁹¹ Alcuin, for instance, worried about the use of the military prowess he usually exulted in to convert the Avars.¹⁹² Winning lands to clear the way for conversion was good, according to Alcuin, but using the tools of conquest as tools of conversion was too much, and indeed not especially effective in establishing sincere belief in Christianity.¹⁹³ The poetry of the Carolingian court, much of it explicitly panegyric in tone, actually has relatively little to say about military matters.¹⁹⁴ There are only a few poems that explicitly address warfare or related historical events, and most of these are more interested in the consequences of the campaigns than in the military detail.¹⁹⁵ This may reflect no more than the concerns and knowledge of their authors, but it is still noticeable because it departs from the practice of models known to these Carolingian poets.¹⁹⁶ Such a muted response to military action on the part of court poets does not imply any

¹⁹⁰ McKitterick, "Constructing the Past," pp. 126–9, though see now her *History and Memory*, Chapters 4–6.

¹⁹¹ Bullough, "Was There a Carolingian Anti-War Movement?" especially pp. 366–8, 373–4. See too Stone, *Morality and Masculinity*, chapter 3, on Carolingian acceptance of war as a standard part of life. There were also positive voices calling for peace at the court of Charlemagne, on which see Kershaw, *Peaceful Kings*, chapter 3.

¹⁹² See, for instance, Bullough, *Alcuin*, pp. 469–70.

¹⁹³ See some of the comments on conversion methods in the letters of Alcuin: Nos. 107 (pp. 153–4), 110 (pp. 157–9), 111 (pp. 159–62), 113 (pp. 163–6).

¹⁹⁴ Garrison, "The Emergence of Carolingian Latin Literature," pp. 131–7. The poems in question are a poem on the conversion of the Saxons (*De conversione Saxonum carmen*, in the MGH as Angilbert, poem no. 7, pp. 380–1), a fragment perhaps by *Hibernicus Exul* on the deposition of Tassilo (no. 2, pp. 396–9), the poem on Pippin's victory over the Avars (*De Pippini Regis victoria avarica*, pp. 116–17), and the Paderborn Epic (*Karolus Magnus et Leo Papa*), to which I would add Theodulf's poem that was written for the court celebration of the Avar victory, but does not address the victory directly (Theodulf, no. 25, pp. 483–9). All poems from *Poetae I* except for the Paderborn Epic. The observation about lack of attention to military detail in the poetry is not to deny that it at times had a political message; see Schaller, "Karl der Große im Licht zeitgenössischer politischer Dichtung," which also ascribes the *De conversione Saxonum carmen* to Paulinus of Aquileia.

¹⁹⁵ This is perhaps especially evident in the Theodulf poem in honor of the Avar victory, which does not really discuss said victory, but it is also true that much of this "military" poetry is rather lacking in detail. Garrison, "The Emergence of Carolingian Latin Literature," p. 132 notes: "an astonishing lack of interest in historical specificity" that I think is at play here. See also the comments of Lehmann, "Das literarische Bild," pp. 11–12 (p. 161 in the reprint).

¹⁹⁶ On the classical antecedents, see Curtius, *European Literature*, pp. 167–82. There were also of course Biblical examples and so forth for the court poets to draw on.

suggestion that military action should be curtailed. It just suggests that the more explicitly bloodthirsty aspects of Carolingian military practice were sometimes downplayed rather than celebrated.¹⁹⁷ In the care taken by court poets, a group which owed their lifestyle and prestige to the king directly, to praise military actions only vaguely we can perhaps see some echoes of the military severity we discussed earlier.¹⁹⁸ The ends justify the vicious means employed, and the king was more interested to have his poets dwell on the glorious consequences rather than the ugly struggle to achieve said consequences.¹⁹⁹

This ruthlessness was not solely a military matter. As we have seen already in this Chapter, opposition to the king was a dangerous business. Dissent on the part of family members was also risky, and prompted a similarly swift, if usually non-lethal, response. The exceptions, however, can illuminate the lengths to which the king would go to secure his authority. When Charlemagne moved to take over his brother's kingdom on Carloman's death, the late king's widow fled to Italy with her two sons.²⁰⁰ Charlemagne subsequently conquered the Lombard kingdom, and the papal sources note that the two young Carolingians were handed over to their uncle.²⁰¹ They disappear from the historical record subsequently, and were likely murdered to clear the way for Charlemagne to maintain sole command of his father's lands and the areas he had already added to them.²⁰² While this cannot be proven, the lack of any further reference to the sons, compared to

¹⁹⁷ Garrison, "The Emergence of Carolingian Latin Literature" singles out the poems mentioned earlier for their "perspective on current affairs" (pp. 131–2), but emphasizes that even these downplay military issues (p. 131), although she does note their attention to "terror" (pp. 133–4). Certainly, there are moments of violence in the poetry, but not perhaps as much as we would expect given the amount of time Charlemagne spent on campaign.

¹⁹⁸ On the dependence of most poets on the king, see Godman, *Poets and Emperors*, pp. 50–1.

¹⁹⁹ One example of emphasizing Charlemagne's glory in general terms, rather than the details of war: *Karolus Magnus et Leo Papa*, p. 60, lines 27–9:

"Armipotens Karolus, victor pius atque triumphans
Rex, cunctos superat reges bonitate per orbem:
Iustior est cunctis cunctisque potentior exstat."

²⁰⁰ Royal Frankish Annals s.a. 771, p. 32: "uxor vero Carlomanni cum aliquibus paucis Francis partibus Italiae perrexerunt"; and in the revision of the Royal Frankish Annals s.a. 771, p. 33: "Nam uxor eius et filii cum parte optimatum in Italiam profecti sunt; rex autem protectionem eorum in Italiam quasi supervacuam patienter tulit."

²⁰¹ *Vita Hadriani*, c. 34, p. 496.

²⁰² I am not the first to suggest that the nephews were killed. See, for instance, Nelson, "England and the Continent in the Ninth Century: IV," p. 10, or Fried, *Karl der Grosse*, p. 132.

other Carolingians who had been pushed out of the way, implies that Charlemagne permanently disposed of his nephews.

The insistence on maintaining his own power is also evident in Charlemagne's actions once he became king of Italy. While in many ways his takeover of the Lombard lands revealed a careful touch with the transition, in others his imposition of his own authority was blatant and smothering.²⁰³ Pope Hadrian's high hopes for the accumulation of land in papal hands were constantly confounded by the king's insistence on keeping extensive territory under his own control.²⁰⁴ This combination of ruthless pursuit of all aims, military violence that always had the potential of resulting in extreme bloodshed, crushing of revolt, and the possibility of actual murder reveals the ruthlessness of Charlemagne's reign. Even as we analyze the irregularity of Charlemagne's efforts to enforce control, we cannot lose sight of the threat of coercion, including physical coercion, which lay behind royal action. Even though this threat usually remained a threat rather than a reality, the fear it generated should not be understated.

The level of royal control over the empire is an unavoidable conclusion from the vignettes of dissent and rebellion we have examined in this chapter. Yet this control was largely maintained by *ad hoc* solutions and the ever-present threat of violence. The message of Charlemagne's response to dissent is not an effort to impose total control, which would have been impossible and unrealistic, but to manage problems strategically in order to avoid disaster. The king and court faced many levels of dissent throughout the reign. These problems were dealt with as they arose and with little attention to providing permanent solutions. But the efforts to crush the most serious expressions of dissent early on were successful enough and the rewards of royal service appealing enough that the king and court managed to eliminate, for Charlemagne's lifetime, the worst of the problem.

Considering Charlemagne's rulership in terms of dissent reveals a few key features about how he sought to exercise power and the extent to which he succeeded. Ruling an empire the size of Charlemagne's guaranteed regional tension. The lack of any clear succession plan for most of the reign left ample room for conflict within the Carolingian family and

²⁰³ In addition to the discussion of some respect for Lombard tradition in Part II, see Ganshof, *Frankish Institutions*, pp. 64, 78 for a few examples of a more heavy-handed approach to his new kingdom.

²⁰⁴ Noble, *The Republic of St. Peter*, pp. 155–83, or F. Hartmann, *Hadrian*. While Hartmann usefully explores the tensions in the relationship between Charlemagne and Hadrian, I think he understates the evidence for mutual respect Noble emphasizes. It seems to me that Hadrian and Charlemagne did have a reasonably harmonious relationship, despite the fact that the pope's land claims were often frustrated.

offered many opportunities for the aristocracy to collaborate with disenfranchised royal relatives. The expansion of Carolingian power would always raise hackles. In responding to these serious and irremediable weaknesses, Charlemagne reacted in multiple ways.

In trying to understand opposition to the Carolingians, Brunner has argued that Charlemagne was attempting to establish a new and uniform administrative structure for the empire, which parts of the aristocracy revolted against.²⁰⁵ As was suggested earlier, I think the message of the cases of dissent we have examined is different. Charlemagne did insist on his power, but he did not insist on any kind of uniform structures. Indeed, the “system” set up by Charlemagne and his men was predicated on replication of function and diversity. The aristocracy, or even regional segments of the aristocracy, was not a unified opposition to the king, because the impact of Charlemagne’s rule was not unified. The most important response to dissent may have been to limit it in the first place (usually unintentionally) by this variable approach to rulership. Most of the time, the aristocracy did very well from Charlemagne’s rule. Those who did not would not necessarily be able to find others suffering from the same grievances in the same area. This is not to say the empire was not filled with plenty of people who had something to complain about, but unified action against the king is much harder when the grievances are not the same and the possible partisans are spread out.

Charlemagne’s predilection for playing off aristocratic families against each other only exacerbated the limits on opportunities for regional aristocratic opposition, as did the imperial scale on which high aristocrats operated. For example, Charlemagne heard a case about control over the monastery of Mettlach in 782, judging it to be under the authority of the bishop of Trier, rather than under the patronage of the local aristocrats claiming it.²⁰⁶ The bishop in this case stood as proxy for Charlemagne, and the case allowed the king to turn Mettlach into a royal monastery.²⁰⁷ The king’s intervention was made possible by conflict within the families who had founded Mettlach. The king’s intrusion into the affairs of Mettlach benefitted some and harmed others. It would have certainly prompted dissent, but not universally. Even if not everyone did well from Charlemagne’s rule, lots of people did. The fact that the experience of Carolingian power could vary so widely, not just due to the interventions of the king but to the patterns of rulership we have already examined, means that the disgruntled would inevitably be matched by those who profited from Carolingian rule. We always need

²⁰⁵ K. Brunner, *Oppositionelle Gruppen*, especially pp. 68, 96–7.

²⁰⁶ DK 148.

²⁰⁷ For commentary on this case, see the works cited in [Chapter 2, Note 57](#).

to distinguish an expansion of royal control from an effort to impose unity, a point to which we will return.

Moreover, Charlemagne's response to dissent was calibrated. As we have seen before, the only problems the Carolingian court strongly reacted to were those which threatened to become emergencies. Everything else was basically ignored or circumvented. The fact that family tensions could be a source of political weakness hardly needed to be explained to a man who spent the first few years of his reign in increasing conflict with his brother. Yet, Charlemagne did not solve the problem of succession until many years after 792 (and arguably never solved the problem until fate solved it for him); he simply crushed the revolt of one particular son. Royal resources were deployed only sparingly, and while Charlemagne was capable of great violence this was only used on occasion. On the whole, Charlemagne was effective in asserting control unevenly and responding to dissent primarily when it reached crisis proportions. From 792 to 814, Charlemagne enjoyed two decades of internal peace in a vast empire only recently conquered. The responses to earlier revolt may have been both limited and contingent, but they also worked. As we have seen throughout these Chapters, Charlemagne's exercise of power was often at the same time both effective and irregular, even though the two are often thought to be necessarily incompatible.

The final lesson we should draw from examining the dissent Charlemagne faced is the lack of any kind of concerted plan of action to respond to revolt. The kinds of issues faced in the revolts tended to recur, but the king and court demonstrated no sign of having prepared for such incidents or having really learned much from the previous occasions.²⁰⁸ The problems were not truly resolved. The fact that the irregularity of royal efforts to structure governance may also have limited revolt appears largely as a happy consequence for the king and his men rather than any kind of thought-out plan. The reaction to revolt was improvised; the king and court responded when a serious challenge arose, but not before. Solutions to problems were developed when the problems developed. When all else failed, violence could end immediate issues and hopefully discourage future problems. Charlemagne's ultimate response to dissent was to crush outright rebellion, try to maneuver around less serious problems, and hope for the best. That this patchwork response was largely successful is testimony to both Charlemagne's effective and yet irregular exercise of power and to his persistent good luck.

²⁰⁸ Compare Nelson, "Opposition to Charlemagne," who does suggest a royal learning process emerged out of the king's response to revolt.

Part I conclusion: control and its limits

One of the most notable features of the reign of Charlemagne is the extent to which the king and his men attempted to intervene in the lives of the population. There is royal legislation on everything from the farm buildings that should be maintained on royal estates,¹ to sermon topics,² to mustering the army.³ These intrusive efforts at control help characterize the nature of Charlemagne's rulership. They can lead some to see Charlemagne as a totalitarian ruler, in intention if not in implementation.⁴ But this viewpoint suggests that what the king and court hoped to achieve was virtually complete control over the empire. The ways in which this control was not implemented are thus seen as failures of achievement. Instead, I have argued that Charlemagne's kingship was defined by far-reaching efforts at control, always backed up by the threat of coercion, and yet also by strategic efforts to assert that control. The desire to structure many aspects of life in the empire did not mean that the king and court attempted to control *all* aspects of life in the empire. When we look in detail at how Charlemagne and his advisers attempted to rule we can perceive a much more complicated picture than simply an effort to control everything.

The three case studies presented in [Part I](#) of this book, of fostering multiple delegation, of disciplining agents, and of responding to outright revolt, reveal several sustained patterns of rulership. Charlemagne and his men did insist on ultimate oversight and ultimate royal authority. But they also delegated, dealt with problems only when they absolutely had to, and encouraged new standards of official behavior more by example and reward than by punishment. For Charlemagne, control did not equal consistency. The court insisted on certain broad principles, but just

¹ *Capit.* I, no. 32, c. 41, p. 86 (also ed. *CdV*, here p. 59).

² *Capit.* I, no. 22, c. 82, pp. 61–2 (also ed. *AG*, c. 80, pp. 234–8).

³ This legislation includes, to give just one example, *Capit.* I, no. 50, pp. 137–8.

⁴ For discussion of how the evidence can give this impression, see Airlie, “The Palace of Memory,” referencing Foucault’s *panopticon*, and discussion in the Introduction, p. 9.

about everything else was debatable, flexible, and *ad hoc*. Charlemagne did indeed seek and frequently achieve control over his empire, but his approach to so doing was predicated on irregularity, overlapping, and flexibility. In a sense, an irregular effort to assert control can be even more unsettling than a consistent effort, because in the Carolingian world it was not always easy to predict just what would attract royal attention. Charlemagne's insistence on his role as judge, for example, was often fulfilled, but not always, making it difficult for parties to be certain whether they would, for better or for worse, be subject to direct royal intervention.⁵ The vast empire Charlemagne created was held together, barely, by ambitious goals and an irregular, though strategic, set of tools meant to achieve those goals. We can further understand the immensity of the task facing Charlemagne by turning to another fundamental problem of empire, namely, how to balance imperial and local concerns.

⁵ J.R. Davis, "Charlemagne's Settlement of Disputes," p. 169.

Part II

Center and region in Charlemagne's empire

Part II introduction: unity and diversity in Charlemagne's empire

The federal system of the United States is founded on the idea that unity can emerge from diversity: *E pluribus unum*, as the motto has it. How well Charlemagne managed to make one out of many, a fundamental task of any empire, has been debated by historians. What everyone can agree on is that the empire was diverse. When the Franks completed the takeover of the Avar lands in 796 what Charlemagne ruled was most of Western Europe; a mass of lands and peoples that differed in their language, customs, sometimes religion, geography, administrative structures, history with the Franks, economic networks, and relationship to king and court.¹ The lands Charlemagne conquered or brought back into the Frankish fold are only the start of the story of diversity, however. Even within lands that were more traditionally Frankish we find a variety of different circumstances and situations.² Many peoples with their own histories and customs populated these lands.³ A linguistic barrier between Romance and Germanic speakers divided the empire. While it is likely the elite managed to function in both languages, this was not true for the majority of the population.⁴ Even the most basic administrative

¹ K.F. Werner, "Missus-marchio-comes," pp. 191–2 (pp. 108–9 in the reprint).

² See also Chris Wickham's emphasis on the importance of regional difference in the early medieval world; for example, Wickham, "Rethinking the Structure."

³ Recent work on ethnogenesis makes it abundantly clear that the identities of the peoples Charlemagne ruled were constructed, but that does not detract from their significance. Ethnogenesis has become a hot topic in recent decades, and the literature is now extensive. The fundamental starting point is Wenskus, *Stammesbildung und Verfassung*. Other key works include: Amory, "The Meaning and Purpose"; K. Brunner and Merta (eds.), *Ethnogenese und Überlieferung*; I.N. Wood, "Defining the Franks"; I.N. Wood (ed.), *Franks and Alamanni*; Pohl with Reimitz (eds.), *Strategies of Distinction*; Pohl, I.N. Wood, and Reimitz (eds.), *The Transformation of Frontiers*; Pohl and Diesenberger (eds.), *Integration und Herrschaft*; Corradini, Diesenberger, and Reimitz (eds.), *The Construction of Communities*; Goetz, Jarnut, and Pohl with Kaschke (eds.), *Regna and Gentes*. For some questions about the concept of ethnogenesis: Gillett (ed.), *On Barbarian Identity*.

⁴ As Einhard tells us was true of Charlemagne; Einhard, *Vita Karoli*, c. 25, p. 30. And see Riché, *Daily Life*, pp. 9–11. We should not, however, dismiss lay literacy; see McKitterick, *The Carolingians and the Written Word*, especially pp. 236–44.

units of the realm varied.⁵ For example, the county structure organized administration throughout Francia, but the size and nature of these counties varied geographically,⁶ and the counties were further differentiated by the uneven impact of different officials adapting differently to Carolingian reforms, as we saw in [Part I](#). A land mass the size of the empire ruled by Charlemagne obviously has a range of topographical, climatic, and geological features.⁷ These aspects of the land in turn influenced the agricultural practices and farming techniques used.⁸ Scholars have long lamented that the basic measures of land and productivity employed in early medieval documents differed by region.⁹ The crop yield, the population density, and general agricultural situation all varied across the empire, as did regional trade networks and the intensity of exchange.¹⁰ The Roman empire encompassed an even larger and more diverse territory,¹¹ but the extent of the task facing Charlemagne and his advisers in attempting to rule the Carolingian empire becomes clearer when we consider two aspects of Roman history. First, the Roman empire was heavily based in cities and in a relatively homogeneous urban culture that provided a certain degree of cohesion to the empire, despite the geographic distance.¹² Second, the Roman empire expanded slowly, allowing for a gradual integration of new areas and people over some two or more centuries.¹³ In contrast, Charlemagne doubled his empire in approximately twenty-five years, and then spent the next twenty determining what to do with it.

The answer scholars usually give to the question of what Charlemagne was going to do with such an unwieldy empire is that he and his advisers tried to centralize and unify it, a task in which they only partly succeeded. To some extent, this is obviously true. The capitularies constantly

⁵ See also K.F. Werner, "*Missus-marchio-comes*," pp. 191–3 (pp. 108–10 in the reprint).

⁶ See further the references given in [Note 24](#).

⁷ On the size of the empire, see K.F. Werner, "*Missus-marchio-comes*," p. 191 (p. 108 in the reprint).

⁸ Verhulst, *The Carolingian Economy*, pp. 61–71.

⁹ Verhulst, "Economic Organisation," p. 487; Devroey, "Units of Measurement," pp. 70–1.

¹⁰ On crop yields see, for example, Devroey, "La céréaliculture"; on population density: Verhulst, *The Carolingian Economy*, pp. 23–8; on the general agricultural situation see also survey in Wickham, "Rural Society." For regional economic networks and intensity of trade, see Wickham, *Framing the Early Middle Ages*, especially chapter 11.

¹¹ On Roman geography, see Garnsey and Saller, *The Roman Empire*, pp. 5–8.

¹² Garnsey and Saller, *The Roman Empire*, pp. 26–34.

¹³ The slow building up of an empire under the Republic culminated in the largely final expansion under Augustus, on which see, for instance, Wells, *The Roman Empire*, pp. 74–84.

reiterate the need for unity and for harmony.¹⁴ The trend in the king's legislation was to demand that more and more people, questions, and things came to the king, a tendency made easier by the establishment of a virtually permanent court at Aachen.¹⁵ The king's treatment of royal officials in his legislation repeatedly advocates central control over local matters, and the supervision of virtually everything that goes on in the empire, from the sincerity of belief to the mustering of the host by royal *missi*.¹⁶ One could adduce many more examples. Clearly, the court expressed an interest in unity and centralization.¹⁷

We must ask, however, what Charlemagne's version of unifying the empire actually entailed. The king and court emphasized written administration, a comprehensive view of office, protection of the poor, salvation for all, and referral of all problems and questions to the king.¹⁸ This is a coherent, intrusive, ambitious understanding of rulership. It was a new departure for the Franks, more so for the Italians who were gradually introduced to Frankish counts, and even more for the Saxons who lacked any form of central administration prior to the Carolingian conquest.¹⁹ Charlemagne asked a lot of his people.²⁰ This intrusive governance entailed new ideas and new techniques in Francia and a full-scale transformation of the approach to rulership in the conquered regions. But this approach to governance, despite its scope

¹⁴ Including: *Capit.* I, no. 22, c. 62, p. 58 (also ed. *AG*, c. 61, pp. 210–12); *Capit.* I, no. 28, c. 6, pp. 74–5, c. 30, p. 77; *Capit.* I, no. 33, c. 14, p. 94 (the chapter is re-edited in Mordek, “‘Quod si se non emendat, excommunicatur’,” p. 180); *Capit.* I, no. 34, c. 18a, p. 101 (also ed. Eckhardt, “Die Capitularia missorum specialia,” p. 503); *Capit.* I, no. 35, c. 31, p. 103; *Capit.* I, no. 62, c. 4, p. 150; *Capit.* I, no. 63, c. 3, p. 152; *Capit.* I, no. 69, c. 4, p. 158; *Capit.* I, no. 84, c. 10, p. 183; *Capit.* I, no. 89, c. 6, p. 189; *Capit.* I, no. 90, c. 6, p. 190; *Capit.* I, no. 95, c. 8, p. 201; *Capit.* I, no. 99, c. 2, p. 206; *Capit.* I, no. 102, c. 5, pp. 209–10; *Capit.* I, no. 104, c. 5, p. 214; *Caroli Magni capitulare ecclesiasticum*, c. 2 (ed. Mordek, *Bibliotheca*, p. 983); *Caroli Magni capitulare generale*, c. 1 (ed. Mordek, *Bibliotheca*, p. 990).

¹⁵ On the establishment of Aachen as a court see discussion in [Chapter 6](#), pp. 313–25.

¹⁶ For example, control over local affairs: *Capit.* I, no. 44, c. 8, pp. 123–4; royal supervision: *Capit.* I, no. 60, c. 4, p. 147; sincerity of belief: *Caroli Magni capitulare ecclesiasticum*, c. 1 (ed. Mordek, *Bibliotheca*, pp. 981–3); on mustering the host: *Capit.* I, no. 48, pp. 134–5.

¹⁷ Including, on unity: *Capit.* I, no. 40, c. 19, p. 116; on centralization: *Capit.* I, no. 50, c. 8, p. 138.

¹⁸ For example, on written administration: *Capit.* I, no. 25, c. 4, p. 67; comprehensive view of office: see full discussion in [Chapter 2](#), pp. 118–25; protection of the poor: *Capit.* I, no. 59, c. 1, p. 146; salvation for all: *Capit.* I, no. 33, c. 40, pp. 98–9; on referral of problems: *Capit.* I, no. 35, c. 59, p. 104.

¹⁹ For the introduction of Frankish administration into Italy, see Hlawitschka, *Franken, Alemannen*, pp. 23–52. And on Saxony, see Goldberg, “Popular Revolt,” pp. 475–6; Krüger, *Studien zur sächsischen Grafschaftsverfassung*, pp. 44–50. And see further discussion in [Chapter 2](#), pp. 101–2.

²⁰ For example, *Capit.* I, no. 60, c. 4, p. 147.

and its forcefulness, necessitated only partial centralization and depended on unity in only limited respects. We need to specify more concretely what kind of centralization and unity Charlemagne sought to foster.

The very boldness of Charlemagne's rulership is the point. Royal reform focused on the overall goals of governance, and the general approaches royal agents should pursue. The intrusiveness is extreme, and the changes to previous systems are profound. Yet, the demanding changes the king and court introduced related to the ultimate ends of governance, to the connections between central and local power, to the overarching ideas structuring royal service.²¹ One could fulfill these requirements and still act as a local power broker, still follow one's own law (admittedly often in Carolingian redaction), still assert the local claims of family and region.²² These policies did not aim at completely reworking how power was exercised locally; they aimed at reworking the ultimate goals of power and how local power related to central power.²³ To that end, from the perspective of king and court, it was not very important if a count ruled a small area or a large one, if local property disputes were settled in an Italian or Frankish legal context, if the local families jostling for influence were in Bavaria or in the Rhineland.²⁴ The capitularies were indeed law for the empire, but the nature of that law was not to transform entirely day-to-day local administrative details, but rather to incorporate these into the royal system, to change the nature of interaction between local power brokers and the king, and to shape the overall structure of the exercise of power along the lines of the royal emphasis on justice, care for the poor, reference to the king, written law,

²¹ For instance, on ultimate ends of governance: *Caroli Magni capitulare ecclesiasticum*, c. 43 (ed. Mordek, *Bibliotheca*, p. 989); on connections between central and local power: *Capit.* I, no. 80, c. 2, p. 176; on ideas structuring royal service: *Capit.* I, no. 46, c. 1, p. 131.

²² Local figures acting as local power brokers could benefit the king as well: see Airlie, "The Aristocracy," p. 432. On following one's own law: *Capit.* I, no. 98, c. 8, p. 206. On asserting local claims: See the example of Arn of Salzburg, analyzed in [Chapter 1](#), pp. 69–77.

²³ Ganshof, *Frankish Institutions*, pp. 26–7. See also Innes, *State and Society*, p. 260.

²⁴ On variability in counties in the empire see Innes, *State and Society*, pp. 119–20; Nelson, "Kingship and Royal Government," pp. 411–12; Nonn, "Probleme der frühmittelalterlichen Grafschaftsverfassung." For property disputes settled in an Italian context see *Il Regesto di Farfa*, ed. Giorgi and Balzani, vol. 2, nos. 165 and 166, pp. 137–8 and 138–9; for a Frankish example: *Formulae Turonenses*, no. 41, pp. 157–8, in *Formulae Merovingici et Karolini Aevi*. Jostling for influence among Bavarians: W.C. Brown, *Unjust Seizure*, pp. 88–97, and in the Rhineland: Innes, "Kings, Monks and Patrons," especially pp. 308–13.

and salvation for all.²⁵ The point was not unity on all fronts, but unity where it mattered and the integration of all power structures into a royal framework. Carolingian centralization tended toward religious unity and royal dominance, not toward a set of uniform standards for all aspects of life that had to be followed in all contexts. Thus, when we note, as we must, that Charlemagne wanted centralization and unity, we must go on to specify the nature of that centralization and unity, and be clear about what had to be the same everywhere, and what could be left to local circumstance.

The task of this second section of the book is to reconsider the imperial nature of Charlemagne's empire, to analyze how unified it was and what held it together, if it did indeed most of the time hold together. To that end, this part of the book will pursue three main questions. The first Chapter will begin by considering the balance between imperial control and inevitable local diversity. Investigating a few cases of diversity in the empire will allow us to illuminate the techniques by which the court fostered an imperial structure that still left room for difference. Next, we will examine the status of the conquered regions within the empire by investigating how they were used by the Franks as arenas for experimentation. Finally, this section of the book will address standardization and centralization of the empire, and will argue that Charlemagne was not interested in standardization generally, and was interested in centralization in specific ways. These chapters will illustrate the overall balance between center and region in Charlemagne's realm, and in so doing, offer a new vision of empire and of the place in it of center and regions. Those who look to Charlemagne's realm for a model of how Europe today can draw unity from diversity should look elsewhere. But the realm of the first Carolingian empire was less shaped by concerns about unity than scholars often argue, and did indeed draw much of its strength from how the king and court responded to the diversity they had no way of eliminating.

²⁵ On law for the empire: Ganshof, *Frankish Institutions*, pp. 3–4. On incorporating local arrangements into the royal system: *Capit.* I, no. 66, c. 3, p. 155. On changing the nature of local/royal power interactions: Innes, *State and Society*, pp. 260–2. For royal interests, examples include: On the poor: *Capit.* I, no. 77, c. 2, p. 171; on reference to the king: *Capit.* I, no. 80, c. 2, p. 176; on written law: *Capit.* I, no. 33, c. 26, p. 96; on salvation: *Capit.* I, no. 22, c. 82, pp. 61–2 (also ed. *AG*, c. 80, pp. 234–8), and [Chapter 8](#), pp. 397–9; on justice see especially Chapter 1. There are exceptions to the point about not changing day-to-day administrative details, such as *Capit.* I, no. 79, c. 1, p. 175.

4 An empire of regions?

The Carolingian world was defined by its regions. The importance of a local perspective for understanding how the empire operated has become a leitmotif of recent scholarship. Research based on charter collections has allowed historians to investigate the playing out of political power on the local level and to chart the intersections between local affairs and the imperial center.¹ Studies of specific liturgical books and particular local usages have revealed the creative diversity that marked the Carolingian religious landscape.² Chris Wickham has argued that the networks of exchange that most deeply shaped early medieval economies were regional ones, influenced more by local needs than by long-distance connections.³ Regions are everywhere in the study of Carolingian history, as they should be. We can only try to study the Carolingian world by grounding such study firmly in the multiplicity of particular landscapes Charlemagne and his contemporaries inhabited. But there is a danger to this regional approach, at least when it concerns the reign of Charlemagne.

The late Tip O'Neill, the great Speaker of the United States House of Representatives, is often credited with saying: "All politics is local."⁴ This may be true, but the man who made the point operated on both a local level, as a fixer for his constituents in Boston, but also on a federal level, as the architect of some of the most important US domestic policies of the 1980s. Trying to chart his influence in Massachusetts would be impossible without reference to his influence nationally, because the

¹ W.C. Brown, *Unjust Seizure*; Costambeys, *Power and Patronage*; W. Davies, *Small Worlds*; Hummer, *Politics and Power*; Innes, *State and Society*, are some of the key works.

² For example, Hen, *The Royal Patronage of Liturgy*, pp. 65–95, and Hen, "The Romanization of the Frankish Liturgy," drawing on an extensive literature about liturgical diversity, which includes: Crocker, "Carolingian Chant"; Pierce, "The Evolution of the *Ordo Missae*"; Semmler, "Reichsidee und kirchliche Gesetzgebung," pp. 47, 63–5; R.E. Reynolds, "The Organisation, Law and Liturgy," pp. 617–21; Keefe, *Water and the Word*; Paxton, *Christianizing Death*; Kottje, "Einheit und Vielfalt"; McKitterick, "Unity and Diversity"; Steck, "'Secundum usum romanum'."

³ Wickham, *Framing the Early Middle Ages*. ⁴ O'Neill with Hymel, *All Politics is Local*.

latter made the former possible, and vice versa.⁵ The same point holds true for the position of a Carolingian *Reichsaristokrat*, whose efforts locally can never be disentangled from his efforts on an imperial scale.⁶ Studying a figure like Charlemagne requires a constant attention to this entangling of the particular and the local in a broader imperial context. When Charlemagne gave a charter to a monastery like Prüm, he intervened in local circumstances.⁷ But he also always acted on an imperial scale. Understanding such a charter requires not just putting it in its local context, but also putting it in an imperial context, of other royal charters, of other activities Charlemagne was engaged in at the time, of his overall work managing an empire. An example can illustrate the point.

In a famous charter of 772, Charlemagne settled a dispute between the abbot of Lorsch and a local aristocrat over control of the family monastery.⁸ Both parties to the dispute were descended from the founding families of Lorsch.⁹ By settling this case, Charlemagne made use of a local dispute for his own purposes.¹⁰ After the king had decided the case in favor of Lorsch, the abbot promptly handed over Lorsch to Charlemagne, turning it into a royal monastery.¹¹ Susan Wood, in her recent work on the proprietary church, has suggested that the dispute might have been either fabricated or at least stage-managed, though she favors the latter.¹² The distinction is important, and Wood is right to decide in favor of a manipulated dispute rather than a fake one. We need to be clear about the nature of Charlemagne's interference in the dispute: He did not make up or precipitate the conflict. That is, there was real dissension in the middle Rhine among members of this family and the monastery about property holding, as Matthew Innes' research makes clear.¹³ The balance of power in the region was also disturbed by the

⁵ For some assessments of O'Neill, see Cuomo, "The Last Liberal"; S.S. Smith, "O'Neill's Legacy."

⁶ Airlie, "The Aristocracy in the Service of the State," p. 110.

⁷ Charlemagne's grants to Prüm are: DK nos. 108, 109, 165, 180, 203, and 205. On Charlemagne's relatively limited generosity to Prüm, given its links to his family, see Nelson, "The Settings of the Gift," pp. 128–9.

⁸ DK 65.

⁹ Innes, *State and Society*, pp. 51–9; Gockel, *Karolingische Königshöfe*, pp. 298–301; Glöckner, "Lorsch und Lothringen."

¹⁰ Innes, "Kings, Monks and Patrons," pp. 309–11; Innes, *State and Society*, pp. 180–3; R. Le Jan, "Justice royale," pp. 80–3; J.R. Davis, "Charlemagne's Settlement of Disputes," pp. 159–60.

¹¹ DK 72; see also the grant of immunity in DK 67.

¹² S. Wood, *The Proprietary Church*, pp. 226–7 and 339–40.

¹³ For the complexity of the disputes about property, see the continued conflict over control of the land around Lorsch in a later charter: *Codex Laureshamensis*, ed. Glöckner, vol. 2, no. 228, p. 31 and discussion in Innes, *State and Society*, pp. 74–5, 138, 182–4.

recent death of Charlemagne's brother Carloman. What Charlemagne did was take advantage of the turmoil in the area by agreeing to hear the case, no doubt with the full realization that the end result would be his control of Lorsch. As Innes has noted, the party who most greatly benefitted from the 772 case was Charlemagne himself.¹⁴

The case offers a good model for thinking about Charlemagne's involvement in the regions. Charlemagne could not have created the dispute: There is simply no evidence for him causing the family tensions, nor is it easy to see practically how he could devote that much time to one family, however important, in order single-handedly to sow dissent. Nor did he need to invent a conflict to cover up his interest in the monastery. If Charlemagne was insistent on taking over the abbey there were far easier ways to do this than to manufacture a dispute. More importantly, as a basic methodological point, we must be wary of ascribing agency to Charlemagne when the sources do not bear this out. Charlemagne loomed so large in his own society, and has done so in the historiography since his death, that we must always be careful not to assume that anything that happened in proximity to the king had something to do with him. Furthermore, Charlemagne's political *modus operandi* was frequently reactive. In this context, it is clear that Charlemagne did not create family tensions among the descendants of Cancor, the founder of Lorsch, but when these came to his attention he exploited them for his own ends. Those ends were imperial: The absorption of Lorsch was part of a broader process of spreading Carolingian control.¹⁵ In 772, Lorsch was still a new foundation and not yet that prestigious a place. The connection to the famous Chrodegang of Metz certainly gave Lorsch status,¹⁶ but it was only to become a truly imperial and truly wealthy monastery after passing under Charlemagne's control. Thus, in intervening in the dispute, Charlemagne capitalized on the potential of Lorsch: A place with important ties but not yet an imperial center. What the king's intervention did was both to give him further standing in a local region and at the same time turn Lorsch itself into an imperial institution.

This dispute, important for the history of the Rhine valley and of Lorsch, also offers a good entry point into understanding Charlemagne's

¹⁴ Innes, "Kings, Monks and Patrons," p. 309.

¹⁵ In addition to the works specifically on Lorsch cited earlier, see the classic discussions of the "system of imperial monasteries," preeminently in the works of Josef Semmler, such as: "Benediktinische Reform und kaiserliches Privileg"; "Karl der Grosse und das fränkische Monchtum"; "Pippin III. und die fränkischen Klöster"; "Reichsidee und kirchliche Gesetzgebung."

¹⁶ On the foundation strategy, see Innes, "Kings, Monks and Patrons." On Chrodegang and his influence: Claussen, *The Reform of the Frankish Church*.

relationship with the regions. He did not entirely remake local society: He could not have done so and he never tried. What he did was respond to local circumstances when these offered him a strategic advantage.¹⁷ That is why the distinction between a fake and manipulated dispute matters: Charlemagne did not generate the local circumstances or invent a reason for intervening, that is, there really was a problem among the founding families of Lorsch. But he saw the potential and acted with that potential in mind. Charlemagne thus impinged on local society not by trying to destroy aristocratic power, but by turning it, when possible, to his own ends. As those ends were imperial, the king not only precipitated changes in local networks of power but made them play out on a radically different scale.

The Lorsch case, and its both local and imperial resonance, underscores the balancing of empire and region that defined Charlemagne's realm. There was an imperial structure that overlay and intersected with the "small worlds" Charlemagne brought into the same orbit.¹⁸ This chapter is an effort to explore this balance between imperial center and local regions during the reign of Charlemagne. In referring here to Charlemagne's empire, I mean its territorial structure and political culture, not the actual imperial title of 800, or any ideology of imperial rule. The basis of Charlemagne's power was, and remained, his role as king of the Franks. The conquest of new lands did not typically lead to the adoption of a new title¹⁹ and in any case the use of titles by the court was erratic and irregular.²⁰ Thus, our goal here is not to dwell on the imperial title, which, I will argue, had little impact on how Charlemagne ruled, but to consider how the vast lands Charlemagne tried to control were affected by royal power, and how his broad political concerns played out in the local regions. We will explore this interplay of imperial politics and local contexts in two ways. The first example we will examine in this chapter is the nature of the short historical works usually called the "minor annals." The general assumption in the historiography is that these sources are local productions, often monastic, governed by small local concerns. Some of the annals do indeed betray such "provincial" interests, but the corpus of texts on the whole illustrates the coherence of

¹⁷ J.R. Davis, "Charlemagne's Settlement of Disputes," pp. 159–60, 168–71.

¹⁸ I borrow the language of "small worlds" from Wendy Davies' *Small Worlds*, about local society in early medieval Brittany.

¹⁹ The kingdom of Italy is the obvious exception, probably best explained by the conquest coming so early in the reign and the prestige and importance of the Lombard kingdom. On Charlemagne's Lombard royal title, which was a Frankish invention, see Classen, *Karl der Grosse*, pp. 21–2; Wolfram, *Intitulatio I*, pp. 217–24.

²⁰ See full discussion in [Chapter 7](#), pp. 347–8, with further references.

the Carolingian political world and the ways in which Charlemagne defined the political community over which he presided. We will then consider the regionalism of Charlemagne's empire in a very different light, via an examination of the special treatment of Italian bishops. An analysis of how Charlemagne related to the episcopal hierarchy in Italy will illustrate the ways in which the court respected local difference and yet integrated all regions into an imperial whole. On the basis of these two case studies of different aspects of the imperial/regional balance, we will end with a new vision of the place of the regions within Charlemagne's empire and of what kind of imperial unity the Carolingian court created by the end of Charlemagne's reign.

Imperial and local consciousness in the so-called "minor annals"²¹

Charlemagne ruled a political world that was profoundly centered on the court. One illustration of this royal centripetal pull to life in the empire can be found in the so-called minor annals.²² These short historical texts are called minor because they usually consist of just a brief sentence or two assigning significant events to a particular year.²³ Looking carefully at this rather motley and poorly edited collection of texts illuminates the nature of history-writing in Charlemagne's empire and provides us with a case study of the balancing of imperial and regional concerns among the aristocracy, clerical and lay, who were responsible for writing up these annals. The annals are rarely used by historians as anything other than sources of information because they pose so many problems of interpretation.²⁴ We will thus begin this section with a critical review of the historiography. Next, I will offer a new classification of the annals, on the basis of the foregoing critique of the scholarly literature. This section will conclude with an analysis of what the annals can tell us about Charlemagne's political world when we look at them in the aggregate.

²¹ Much of the material in this section was first presented in my unpublished M.Litt. thesis, "Conceptions of Kingship under Charlemagne," pp. 171–87. I would like to thank my supervisor, Rosamond McKitterick, and my examiners, Matthew Innes and Jinty Nelson, for many helpful suggestions.

²² For overviews of the genre, see Halphen, *Études critiques*, pp. 16–59; Hoffmann, *Untersuchungen zur karolingischen Annalistik*; McCormick, *Les annales*; Poole, *Chronicles and Annals*; Wattenbach, Levison, and Löwe, *Deutschlands Geschichtsquellen*, pp. 180–92.

²³ For a summary of the received wisdom, see Contreni, "The Carolingian Renaissance: Education and Literary Culture," pp. 751–2.

²⁴ Rosamond McKitterick's work, particularly in her *History and Memory*, is a notable exception.

Classifying the annals: a new taxonomy

Let us begin with the historiography to date on the development of the genre of annalistic writing, which spread with a similar chronology to that of the growth of Carolingian power.²⁵ There are about thirty surviving minor annals that can plausibly be dated to the reign of Charlemagne.²⁶ These annals are chronological histories, arranged year-by-year, and sometimes thought to have been composed year-by-year, with typically short comments on the major events of each year. We will discuss where they were written in this chapter, but they come from throughout the Frankish world. They are usually transmitted in only one or two manuscript copies, although there is much further work to be done to elucidate the transmission of these texts.²⁷ Beyond these common characteristics, the annals can vary significantly in length, interests expressed by their authors, and sophistication. While the basic definition of minor annals is relatively clear, much else has been debated. We will begin our analysis of these texts by surveying their treatment thus far in the historiography, with particular attention to the origins of annals, their relationship to the Royal Frankish Annals and to the court generally, the dating of these works, their use of "stem texts" (annals used as a starting point for other texts to build on), and classification schemes scholars have developed. More recent research has tended to leave some of these older historiographical issues to the side, in favor of close scrutiny of particular texts or manuscripts. However, some attention to these traditional questions can help us establish the political setting of the annals, and there is something to be learned from considering the annals in the aggregate.²⁸

The first issue we must address is the origin of the genre. The Carolingians did not invent annals, but the genre of text spread markedly in this period. The profusion of Carolingian texts thus both needs explanation and stands at the root of later medieval tradition.²⁹ Scholars have often stated that medieval annals developed out of brief notes made

²⁵ McCormick, *Les annales*, pp. 16–17.

²⁶ There is a full list of texts, with some comments on their dating, in [Note 76](#).

²⁷ A model for the kind of work needed can be found in Corradini, "Zeiträume-Schrifträume."

²⁸ There is an excellent comment on the difficulties with the older literature in Corradini, *Die Wiener Handschrift*, pp. 7–13.

²⁹ For some early Anglo-Saxon annals, see Story, "The Frankish Annals." Burgess and Kulikowski, *Mosaics of Time*, claim that annals are part of a continuum of historical writing going back to the ancient world. They also argue for discarding the term "annals" because they think the terminology used by medievalists obscures the links between medieval and earlier historiography. As I cannot see fundamental continuities in history-writing across the long timescale they propose, I have continued to use the designation of annals familiar to medievalists.

in the margins of Easter tables.³⁰ We do have manuscripts where annals are preserved in such tables, but some of these are late, making it difficult to claim that the annals were first composed within the tables.³¹ Many other texts have no clear link to Easter tables.³² Easter tables provided a context for the development of annals, but there is no evidence to substantiate the claim that the tables provided *the* context for their development.³³ Adding historical notes to Easter tables was thus one locus for the development of Carolingian history-writing, but it was only one of many ways in which annals were composed. The problem of the development of the minor annals is also deeply interwoven with questions about the Royal Frankish Annals. Scholarly discussion of the annals has been riven by a long-lasting controversy about the relationship between the minor annals and the Royal Frankish Annals, precisely about which text(s) came first.³⁴ That is, there are clear similarities between the minor annals and the Royal Frankish Annals in terms of the information they convey. Which then is the original source and which the copy? There are still profound difficulties with the manuscript transmission of the annals that make it difficult to reach a final conclusion.³⁵ However, the weight of the evidence favors the position that most minor annals were based on the Royal Frankish Annals.³⁶ There are a number of arguments that support this position. First, many annals begin with a stem text shared among several annals before departing from the stem text and beginning original compositions. This means that most annals, even if they were eventually (or partly) written up year-by-year, were composed in multiple stages.³⁷ The portion of the annals we are primarily interested in here are the original compositions, where the

³⁰ McKitterick, "Constructing the Past," pp. 111–13 and her note 40 on p. 111 on earlier bibliography, challenges this view. Some of this material is now incorporated in her *History and Memory*.

³¹ McKitterick, "Constructing the Past," p. 111.

³² For the many contexts for history-writing, see Corradini, "The Rhetoric of Crisis" and Story, "The Frankish Annals," especially pp. 72–4. Burgess and Kulikowski, *Mosaics of Time*, argue against a link between Easter tables and annals, although I cannot accept all of their arguments about the development of late antique historiography.

³³ See also Foot, "Annals and Chronicles," pp. 352–6.

³⁴ Poole, *Chronicles and Annals*, pp. 33–4 offers what is perhaps the most traditional view.

³⁵ The majority of the minor annals must still be consulted via the early nineteenth-century *Monumenta Germaniae Historica Scriptores* editions, which are not based on a full evaluation of all of the manuscripts. The editor, Georg Pertz, did not even visit Paris, the home of many Carolingian manuscripts, until after the publication of his first volume (*Autobiography and Letters of George Henry Pertz*, pp. 58–9).

³⁶ Halphen, *Études critiques*, pp. 16–17. See also R. McKitterick, "Entstehung und Gestaltung," pp. 107–8.

³⁷ On multiple models of composition, see McKitterick, "Entstehung und Gestaltung." By stem text, I mean a section at the start of the annals shared among many texts. These

Carolingian annals break away from the stem text. It is these Carolingian sections, dating often from after the Royal Frankish Annals began to be composed, which typically include borrowings from the Royal Annals. Thus, in many cases, there seems to be a chronological priority for the Royal Frankish Annals vis-à-vis the original Carolingian sections of the minor annals. We will return to this point and its implications later. The far more extensive manuscript transmission of the Royal Frankish Annals and its use as a base for other historical texts also supports this argument.³⁸ A third factor is the greater length of the Royal Frankish Annals in comparison to the minor annals. One could assume that the direction of exchange is for compilers of minor annals to have made excerpts of the more extensive Royal Frankish Annals. The contention is not provable in general terms, but it does make a fair amount of sense as a way of envisioning revision. For all these reasons, it is likely that while on occasion the Royal Frankish Annals contain information gleaned from another written source, it was on the whole the source for many of the minor annals and not vice versa.³⁹ We cannot conclude from this observation that we are able to construct a clear stemma of annalistic texts. I am interested here instead in the Royal Frankish Annals as a conceptual model and possible source of information, rather than as the literal archetype for all annalistic writing. This relationship of the Royal Frankish Annals to the minor annals is important to establish because it helps illuminate the political world in which minor annals were composed and circulated.

The corollary of this understanding of the Royal Frankish Annals' influence on the minor annals is that these texts were related to a text produced in association with the court. This does not of course imply that Charlemagne had a direct connection to all of these texts, or even that he knew of them. Nonetheless, the profusion of minor annals can be seen as radiating from the court; it was the court which was home to many of the events recorded, which encouraged literary productions, and which provided an exemplar for other annals.⁴⁰ The minor annals, then,

annalistic stems must be distinguished from other historical texts, to which many annals are appended. Annals can have a stem text regardless of whether they also build on another earlier history as a base. The editions often make it unclear how many annals were composed as additions to other historical base texts, and this is a point worthy of further attention.

³⁸ McKitterick, *Charlemagne*, pp. 33–8. McKitterick's emphasis on circulation of annals in different forms and versions, and sometimes in short excerpts also supports this possibility; see her *History and Memory*, and "Entstehung und Gestaltung."

³⁹ McKitterick, *Charlemagne*, p. 37.

⁴⁰ Compare with Collins, "Charlemagne's Imperial Coronation," pp. 58–9, who argues for royal patronage of minor annals in the 780s, which was then replaced by the sole

are an illustration of the reach of the court and offer us a first glimpse of how profoundly royal power penetrated the regions of the empire. We can perceive further court influences in the minor annals. As we just noted, the Royal Frankish Annals provided some of the content incorporated in the minor annals, but they also provided a model for form, at least in terms of a year-by-year arrangement of information, often dated by the year of the incarnation.⁴¹ It is possible that some of the layout of the minor annals was also borrowed from another “court” source, namely, the capitularies. Paris, Bibliothèque Nationale, manuscrit latin 4995 is a law manuscript, probably from the tenth century, which begins with the *Annales Petaviani* (the text is also transmitted in another legal manuscript, but in that case the layout is not similar).⁴² In the Paris manuscript, the annals are followed by excerpts from Isidore of Seville’s *De legibus*, capitularies of Charlemagne and Louis the Pious, and excerpts from the national laws. Other than the annals, the content of the manuscript is thus entirely typical of legal codices. The manuscript was copied by several contemporary hands in a coherent volume. What is most noticeable is the consistency in layout throughout the text. The format used for the annals is a precise analogue of that used for the capitularies. In each case, the date or the chapter number is placed on the left hand side of the page, with the entry or chapter lined up on the right. It is a relatively unusual phenomenon for capitulary manuscripts to contain historical texts.⁴³ Most of the surviving examples either contain excerpts

authorized official text of the Royal Frankish Annals by 807–8. I think the royal encouragement of most annalistic writing is less direct than Collins claims, and I see no shift in status of the Royal Frankish Annals in 807–8, but his discussion of court stimulus of minor annals is useful. We must also note that the extent of court patronage can vary during the different periods of composition of the annals, an important point since the annals were typically composed, if not always yearly, at least gradually.

⁴¹ McKitterick, *Perceptions of the Past*, pp. 66–8. On the links between annals and various ways of thinking about time, see Corradini, “Zeiträume-Schiffräume.”

⁴² On the Paris manuscript, see Mordek, *Bibliotheca*, pp. 549–55. There is some dispute over the dating of Paris, Bibliothèque Nationale, lat. 4995. Rosamond McKitterick (*The Carolingians and the Written Word*, p. 51) dates the manuscript to the ninth century, but Mordek, *Bibliotheca*, p. 549 favors the tenth century, as does Bischoff, *Katalog*, part 3, p. 105. I think the later date is most likely correct. The manuscript can be consulted online at <http://gallica.bnf.fr/ark:/12148/btv1b9066600w.r=manuscrits+latins+4995.langFR>. The *Annales Petaviani* are also transmitted in another capitulary manuscript, Vatican, Biblioteca Apostolica Vaticana, Reg. Lat. 520, for which see Table 4.1.

⁴³ The examples I am aware of (from before the fifteenth century; dates given are for the relevant segment of the manuscript, and are based on Bischoff, *Katalog*, Mordek, *Bibliotheca*, and my own observations) are listed in Table 4.1. The list includes manuscripts with full historical texts, not just lists of kings or popes (although these are noted in the table when they appear in a manuscript that also includes a longer history). The line between a royal or papal list and some of the histories in these manuscripts can be fine, however. While the distinction is somewhat artificial,

of longer historical texts, or are later tenth to twelfth century manuscripts that use both capitularies and histories to create a sense of the Carolingian past, not unlike cartularies compiled in the same period.⁴⁴ The rare combination of minor annals and capitularies may stem from the fact that the annals in Paris, Bibliothèque Nationale, manuscrit latin 4995, might have themselves been composed at court. Even if the unusual transmission of the *Annales Petaviani* can be explained by court composition, the fact that scribes working a century later saw that capitularies and annals could be written in the same format suggests at least the possibility that the very format of annals was in some senses seen to be linked to the court.

There is a difficulty, however, in arguing that annals were prompted by court influence. Those who wish to claim that the minor annals were based on the model of the Royal Frankish Annals have to account for the fact that some of the minor annals may have been begun long before the Royal Frankish Annals, because they include entries for years before that text starts.⁴⁵ Any effort to date the minor annals quickly runs into several problems. First of all, the dating of the composition of the Royal Frankish Annals themselves is contested. The best guess is that they began to be compiled from the late 780s or early 790s, with later sections likely written at one go.⁴⁶ Nonetheless, it is still true that many of the annals go back farther into the past than the Royal Frankish Annals. The apparent contradiction can be resolved when we remember that most of the minor annals are based on a relatively limited number of stem texts.⁴⁷ The use of a stem text does not itself date the text; it simply gives us a *post quem* for the

separating out the longer narrative texts does underscore the particular ways in which laws and histories could be combined, and emphasizes the unusual treatment of the *Annales Petaviani*. I assume the short annals in Wolfenbüttel, Herzog August Bibliothek, Helmst. 532 noted by Mordek (*Bibliotheca*, p. 953) constitute a king list and not a more elaborate history, but I have not seen the manuscript in person. Many such lists are included in manuscripts of the Salic law; on these lists, see Giesriegl, "Autorität, Chronologie und Gesetzgebung." There are also related manuscripts, with material that has historical content, such as Paris, Bibliothèque Nationale, lat. 11015 (cartulary of Narbonne with the *praeceptum pro Hispanis* and a short text linked to the Chronicle of Moissac about the Synod of Frankfurt on f. 16v; described in Mordek, *Bibliotheca*, pp. 605–6; Delisle, *Inventaire des manuscrits*, pp. 105–6).

⁴⁴ On cartularies and memory see Geary, *Phantoms of Remembrance*.

⁴⁵ The Royal Frankish Annals begin with a laconic notice of the death of Charles Martel, s.a. 741, p. 2: "Carolus maior domus defunctus est." A number of the minor annals begin earlier, such as the *Annales Tiliari* s.a. 708, p. 6. Of course, this does not mean that the composition of these texts dates back to these years, but it at least raises the possibility.

⁴⁶ The best discussion of the dating of the Royal Frankish Annals is now McKitterick, *Charlemagne*, pp. 31–43. However, the stages of composition have still not been satisfactorily clarified.

⁴⁷ Wattenbach, Levison, and Löwe, *Deutschlands Geschichtsquellen*, pp. 183–9. See Note 37 for the nature of these stem texts.

Table 4.1 *Capitulary manuscripts containing historical texts*

Manuscript shelfmark	Date	Location	Historical text included	Mordek*
Brussels, Bibliothèque Royale Albert 1 ^{er} , 8654–72	Beginning of 9 th c.	Northeastern Francia	Excerpt of Bede's <i>Ecclesiastical History of the English People</i>	85–90
Vatican, Biblioteca Apostolica Vaticana, Reg. Lat. 520	2 nd ¼ of 9 th c. ^{††}	Francia	<i>Annales Petaviani</i>	827–30
Berlin, Staatsbibliothek-Preussischer Kulturbesitz, Theol. Lat. 355	Mid 9 th c.	Francia?	Excerpts from Gregory of Tours' <i>Histories</i>	70–1
Vatican, Biblioteca Apostolica Vaticana, Pal. Lat. 973	2 nd half of 9 th c.	N. Francia (around Reims?)	A world chronicle	801–5
Paris, Bibliothèque Nationale, lat. 10758§	3 rd ¼ of 9 th c.	Reims	Einhard, king lists	587–605
Paris, Bibliothèque Nationale, lat. 4280A	end of 9 th c.	Reims	Orosius excerpts and accounts of deeds incorporated into the Symmachean forgeries	451–6
Paris, Bibliothèque Nationale, lat. 4995	10 th c.	Francia	<i>Annales Petaviani</i>	549–55
Modena, Biblioteca Capitolare, O.I.2	10 th c. [^]	N. Italy	<i>Origo gentis langobardorum</i> , king list from Jesus to Louis the Pious	256–68
Montecassino, Archivio dell'Abbazia, 175	Between 915 and 934	Capua	<i>Chronica sancti Benedicti Casinensis</i> , lists of popes and rulers	270–3 ^{^^}
Vatican, Biblioteca Apostolica Vaticana, Chigi F. IV.75	ca. 1000	C. Italy	Chronicle of Benedict of S. Andrea, Einhard fragment	756–68
Cava dei Tirreni, Biblioteca della Badia, 4	ca. 1005	S. Italy	<i>Origo gentibus langobardorum</i> , list of Lombard kings and Beneventan dukes, <i>Chronica comitum Capuae</i>	98–111
Paris, Bibliothèque Nationale, lat. 4628A**	10 th /11 th c.	N. Francia	Einhard and king lists	488–501
Gotha, Forschungsbibliothek, Memb. I. 84	10 th /11 th c.	Mainz	<i>Historia Langobardorum</i> , king list from Jesus to Louis the Pious	131–49

Table 4.1 (*cont.*)

Manuscript shelfmark	Date	Location	Historical text included	Mordek*
Stuttgart, Württembergische Landesbibliothek, iur. 4° 134	10 th /11 th c.	Alemannia	Breviary of Erchanbert with the <i>continuatio Augiensis</i>	724–8
Schaffhausen, Stadtbibliothek, Min. 75	Late 11 th c.	Southern Germany	Part of Thegan's Life of Louis the Pious	705–7
Bonn, Universitätsbibliothek, S.402	12 th c.	Germany	Einhard, Thegan's Life of Louis the Pious, and <i>Origo Francorum Bonnensis</i>	81–5
Vienna, Österreichische Nationalbibliothek, 406	12 th c.	Bavaria or Austria	Incomplete copy of Paul the Deacon's <i>Historia Langobardorum</i>	903–4
Munich, Bayerische Staatsbibliothek, Clm 5260 ^{**}	12 th c.	Bavaria	<i>Parvum chronicon Chiemseense</i>	284–7
Reims, Bibliothèque Municipale, 672	2 nd half of the 12 th c.	Reims	Parts of the <i>Liber pontificalis</i>	625–8

* Mordek, *Bibliotheca*, with page numbers for the description of each manuscript.

†† Bischoff, *Katalog*, part 3, p. 431.

§ The manuscript is related to Paris Bibliothèque Nationale, lat. 4628A and to Paris, Bibliothèque Nationale, lat. 4631, 15th century, Northern Francia, possibly Saint-Denis, including Einhard and king lists (Mordek, *Bibliotheca*, pp. 507–16).

^ The manuscript is usually dated to the end of the tenth century on the basis of calendrical material. However, it is possible that this is a later addition to the codex, the core of which might have been written in the second half of the ninth century. One can also question if the *Origo* was originally part of the manuscript. For full discussion of these issues, see Pohl, *Werkstätte der Erinnerung*, pp. 122–9. This book also offers extensive discussion of the historical texts in the Cava and Montecassino manuscripts. I would like to thank Walter Pohl for discussing his ideas about the Modena manuscript with me.

^^ For a fuller description of this manuscript, see Pohl, *Werkstätte der Erinnerung*, pp. 82–5.

** The manuscript is related to Paris Bibliothèque Nationale, lat. 10758 and to Paris, Bibliothèque Nationale, lat. 4631, 15th century, Northern Francia, possibly Saint-Denis, including Einhard and king lists (Mordek, *Bibliotheca*, pp. 507–16).

** Munich, Bayerische Staatsbibliothek, Clm 3519 is a copy of this manuscript.

composition of the original portion of annals, building on the foundation of an older stem text. When the stem texts themselves were written requires further manuscript investigation than has yet been done, although some likely do predate the Royal Frankish Annals. However, the majority of the independent sections of the annals, once they depart from the stem text, do seem to be written roughly at the same time or a bit later than the Royal Frankish Annals began.⁴⁸ The dating alone does not provide a definitive answer to the question of the priority of the minor annals versus the Royal Frankish Annals. However, this evidence on chronological priority, in combination with the other factors observed earlier, suggests that the minor annals did likely borrow from the Royal Frankish Annals, supplemented from other sources.⁴⁹

The use of stem texts has muddled discussion of the dating of annals, but it also causes further problems of interpretation.⁵⁰ The adoption of a common stem text has often been taken as a justification for linking the minor annals into groups.⁵¹ It would of course be helpful if we could classify and localize the annals, but it is not warranted that we do so. The employment of a common stem text tells us nothing about the subsequent history of the text beyond that the stem text was available. Occasionally, the later portions of annals provide clues as to where they were composed, but this is not a given.⁵² For the most part, all we can say on the basis of the use of stem texts is that the authors of contemporary annals who began writing later than the stem text authors were still at pains to have a larger historical context within which to situate their own

⁴⁸ The possibility that the 770s were a key date for the composition of annals warrants further attention. The Royal Frankish Annals as we have them too may be based on notes taken from the 770s onward. Furthermore, there are certainly exceptions, that is, annals which predate the Royal Frankish Annals.

⁴⁹ See also McKitterick, *History and Memory*, p. 102. Compare Story, "The Frankish Annals," pp. 73–4. While she is of course right that we see a profusion of historical writing in various forms during the reign of Charlemagne, I do think the evidence shows not just multiple independent developments, but also a strong impact of the model created by the Royal Frankish Annals, which served to set the parameters of annalistic writing for the Carolingian period.

⁵⁰ See also Hoffmann, *Untersuchungen zur karolingischen Annalistik*, p. 76 on the problems.

⁵¹ See review of the historiography in Hoffmann, *Untersuchungen zur karolingischen Annalistik*, pp. 69–75.

⁵² For example, the so-called second continuation of the *Annales Sancti Amandi* (p. 12), is linked to Saint-Amand only by a reference to the death of Bishop Gislebert, who had been abbot of Saint-Amand. Given the information about Saint-Amand in the text as a whole, I will classify it as ecclesiastical. But we must note that the majority of the source has nothing to say about the monastery. Most of the text focuses solely on imperial affairs, and offers sometimes unusual information on events at court (such as Charles the Younger's control in Le Mans in 789, an event ignored by most sources; see [Chapter 8](#), pp. 418–21).

comments. Which stem text they chose to use tells us something about their vision of their world and of history, but it alone cannot localize or date the texts for us.⁵³ Indeed, many Carolingian historical texts begin with a broader historical frame, before narrowing in to focus on specifically Frankish events.⁵⁴

The issue of stem texts reveals some of the problems of classifying these texts based on their beginnings. A similar difficulty arises from the common assumption that these are ecclesiastical, and typically monastic, records. The theory that these annals are all monastic is largely predicated on three ideas, namely, that annals inevitably arose from Easter tables, that most medieval writing was monastic, and that these texts often make reference to various ecclesiastical figures. We have already seen that Easter tables were not tied to all annals, so we cannot make any general assumptions about the genre on the basis of Easter tables. Second, the idea that most medieval writing was monastic is no longer accepted by historians. As there has been very little work on the minor annals as a group, this assumption has not been specifically challenged in the context of the minor annals.⁵⁵ But, as is true of other forms of history-writing, there is no cause to assume all texts were written by monks, even if there was a growing association between monasteries and preservation of writing.⁵⁶ Finally, it is indeed apparent that the minor annals often make reference to ecclesiastical figures.⁵⁷ Two provisos are still necessary. Many of the ecclesiastical references come from the stem text portion of the annals, and thus do not necessarily have a great deal to tell us about the subsequent Carolingian sections of the annals, which split from the stem text and contain original material.⁵⁸

⁵³ On the importance of the choice of stem text, see McKitterick, *Perceptions of the Past*, p. 67.

⁵⁴ An example is the Chronicle of Moissac, which begins with a universal chronicle excised from the edition (found in the best manuscript, namely, Paris, Bibliothèque Nationale, lat. 4886). This is discussed in Kats and Claszen, "*Chronicon Moissiacense Maius*". The Chronicle of Moissac still presents numerous problems of interpretation, which cannot be resolved here. On the Carolingian fondness for universal histories, see McKitterick, *Perceptions of the Past*, chapter 1. See further Note 37 on the difficulties of recognizing from the editions how annals relate to other historical works.

⁵⁵ Although there is an important discussion of monastic and imperial perspectives already in Wattenbach, Levison, and Löwe, *Deutschlands Geschichtsquellen*, pp. 181–2.

⁵⁶ These issues are now clarified by W.C. Brown, Costambeys, Innes, and Kosto (eds.), *Documentary Culture*.

⁵⁷ See, for example, *Annales Fuldenses antiquissimi*, pp. 137–8.

⁵⁸ For instance, the *Annales Alamannici*, in the independent portion of the text, survive in at least two main versions. One of these does include references to local religious figures, added at the end of some entries. The other recension mentions no religious figures other than the pope, reference to whom cannot localize the text to a particular ecclesiastical institution. Thus, the basic Carolingian text of the *Annales Alamannici* is

In addition, many of the minor annals do not contain any such references.⁵⁹ Among those that do, we still need to be wary of assuming that a text that mentions an ecclesiastical figure is thus necessarily ecclesiastical itself. A general impression from the early Carolingian annals is that while certain bishops and abbots are mentioned (usually upon their deaths), there is far more information on the Carolingians and the political situation.⁶⁰ And the annalists were sophisticated enough to tell the difference, as seen in some manuscripts, which separate local from more general information.⁶¹

This question of defining the status of minor annals leads one to the difficult if not unanswerable question of what distinguishes ecclesiastical versus non-ecclesiastical writing.⁶² The issue is even more complicated in the context of the minor annals. There really are only so many ways to say "Charlemagne was in Saxony" in Latin. This leads us to another problem, in that some scholars have attempted to link the annals into groups by looking at vocabulary and style.⁶³ This methodology is not ideally suited to this particular genre of text.⁶⁴ If two annals report a campaign in Saxony in vaguely different language, it is difficult to draw conclusions from these differences alone.⁶⁵ The Carolingian period was one in which people were immensely interested in words, both spoken and written, and in their power.⁶⁶ Thus, looking

a general work, to which was added, in certain copies, some local notes. While both versions reflect regional links, the main text cannot be tied to a particular religious institution

⁵⁹ See Note 76 for my classification of the minor annals.

⁶⁰ This is not the received wisdom on the annals; compare Contreni, "The Carolingian Renaissance: Education and Literary Culture," p. 752.

⁶¹ For an example, see Corradini, "Zeiträume-Schiffräume," p. 137.

⁶² This presents a dilemma similar to that of defining what distinguishes female and male writing. For guidance on differentiating female writing see Nelson, "Gender and Genre," pp. 161–2 (p. 196 in the reprint).

⁶³ This is particularly true of the nineteenth-century scholarship on the annals. A good place to start is Hoffmann, *Untersuchungen zur karolingischen Annalistik*. Hoffmann sorts through most of the older scholarship (and does us all a favor by disposing of Kurze's supposed "lost work" once and for all; see Bullough, "Europae Pater," pp. 64–5). Both the methodology of the older work and some its complications are visible in Hoffmann's attempts to sort through it; see McKitterick, *The Frankish Kingdoms*, p. 4. Schröer, *Die Annales S. Amandi*, is another example of this type of scholarship.

⁶⁴ McKitterick, *Perceptions of the Past*, p. 67.

⁶⁵ Compare the *Annales Guelferbytani* s.a. 775 (SS I, p. 40, and ed. Lendi, *Untersuchungen zur frühalemannischen Annalistik*, p. 157, which I cite here): "maicampus ad dura. franci in saxoniam." to the so-called *Annales Sangallenses Baluzii* s.a. 775, p. 63: "in ipso anno perrexit Karlus super Saxones, et plurimos ex ipsis ad baptismi gratiam perduxit, et multos pluriore interfecit." We can profitably discuss the difference in content between these annals, but there is no scope for a real analysis of their style.

⁶⁶ McKitterick, *The Carolingians and the Written Word*, *passim*.

at style and the actual vocabulary chosen to describe events is a useful analytical technique to apply to Carolingian sources, but it alone is insufficient to categorize minor annals. Some of the nineteenth-century German-language historiography that remains often the only available analysis of some of these texts at times employed such methods, but a stylistic argument to identify groupings of annals has otherwise been abandoned.⁶⁷

The other main categorization offered thus far has presented the issue in terms of geography, thus positing regional linkages among the annals.⁶⁸ No doubt geography was a powerful determining factor in terms of what information was accessible to a writer. But the minor annals themselves suggest that there was a base of empire-wide political knowledge that was more important than the details of local events in shaping the annals. Questions about geography intersect with questions about the ecclesiastical origins of annals. If we are willing to assume that a reference to an occasional ecclesiastical figure alone is not enough to define the provenance of any given set of annals, we can begin to appreciate some of the diversity to be found even in these formulaic texts. I would suggest a text can only be considered ecclesiastical if it makes repeated reference to events associated with a specific institution or its region in the Carolingian sections of the annals. For example, the *Annales Sanctae Columbae Senonensis* are part annals, part house history, making its connection to the monastic house indisputable.⁶⁹ But to truly count as ecclesiastical, to my mind the text must demonstrate consistent and sustained interest in religious figures of a particular type or tied to a particular region.⁷⁰ A mere mention alone cannot justify an attribution of a set of annals to a monastic context. Many of the ecclesiastical figures mentioned in the minor annals were quite well known. A reference to, say, Boniface tells us little except that the author knew something of a

⁶⁷ McKitterick, *Perceptions of the Past*, pp. 65–7.

⁶⁸ McKitterick, *The Frankish Kingdoms*, p. 3.

⁶⁹ For example, see *Annales Sanctae Columbae Senonensis* s.a. 868, p. 103, recording a famine and its particular impact on Sens. In contrast, s.a. 814, p. 103, only Charlemagne's death and Louis the Pious' assumption of power is noted. Most of the information on Sens is in the later portion of the annals, but I would still accept the link to Sens.

⁷⁰ As is done, for instance, in the *Annales Augienses*. I make my arguments here based on the content of these texts. There is more to be learned from the manuscript transmission of some of the annals, but this research has not yet been done. Further attention to the manuscripts, and particularly to texts transmitted with the minor annals, will likely greatly increase our understanding of the genre. In the case of the *Annales Augienses*, for instance, much information is borrowed for the early portion of the annals, but I have chosen to treat it as a discrete text, rather than as a copy or compilation of other works.

famous religious figure.⁷¹ A corollary of this point is that we cannot link texts together simply because a certain number of them mention a figure like Boniface and others do not. Boniface was sufficiently well known for a reference to him to be of little use in localizing the text, but not so important that the absence of a mention is surprising.⁷² Such a reference may suggest some kind of Anglo-Saxon connection, but it may just as well suggest a connection with a continental missionary center.⁷³ The point is that more than one reference is required to make a final decision.⁷⁴ We also need to treat with caution texts that mention many religious figures from various regions.⁷⁵ Such a scattering of figures testifies to general knowledge and not to a connection with a specific region (at least not without further evidence). We cannot even assume that such a text is of ecclesiastical origin. It was not only churchmen who were aware of ecclesiastical officials and events.

Let us try to sum up the scholarship thus far, in light of our critical review of the literature to date. Roughly around the late 780s/early 790s, the Royal Frankish Annals were begun or underwent a transition, during the years when other extensive changes in the nature of the surviving source material took place. In very approximately the same period, we see the composition of a plethora of short annalistic texts, which, while based on a small number of older stem texts, begin to be independent productions at this point. Despite claims to the contrary, these texts seem more associated with court annals and court sources than with Easter tables, although there certainly were links between particular annals and Easter tables. Previous efforts to classify the minor annals have not gotten very far: Mentions of ecclesiastical figures can be poor guides to the composition of the texts; the annals are usually assumed rather than

⁷¹ For instance, the *Annales Iuvavenses minores* can be identified by their references to Salzburg and Arn, not by their note of Boniface's death (s.a. 754, p. 88, and p. 733 in the re-edition).

⁷² For a survey of Boniface's work and influence, see Reuter, "Saint Boniface and Europe." Also useful are: Büttner, "Bonifatius und die Karolinger"; Dierkens, "Willibrord und Bonifatius"; Semmler, "Bonifatius, die Karolinger," all with further references to the vast bibliography. For some recent perspectives, see Felten, Jarnut, and von Padberg (eds.), *Bonifatius—Leben und Nachwirken*. There is also a useful recent review article: Schieffer, "Neue Bonifatius-Literatur." See too [Note 73](#).

⁷³ For a new look at how Anglo-Saxon missionaries on the continent functioned, see Palmer, *Anglo-Saxons in a Frankish World*.

⁷⁴ Compare the approach in Patzold, *Episcopus*, p. 117, note 84.

⁷⁵ An example is the Annals of Lorsch, which mention figures and institutions from across the realm (including two from Lorsch and one each from Gorze, Fulda, Saint-Denis, Utrecht, Metz, Regensburg, and Mainz in the years 768–803, in 775 and 778 [two mentions of the same person] and 784, 769, 779, 784, 784, 771, 791, 786, respectively). See also the discussion of the authorship of these annals in this chapter.

demonstrated to be ecclesiastical; stem texts alone cannot classify the original portion of annals. Rather, we need to demonstrate sustained ties to a particular region or institution in order to localize annals. If we return to the corpus of texts with these points in mind, we can think again about how we might characterize the annals as a group of texts.

As noted at the start of our discussion, there are about thirty surviving minor annals that seem to come from the reign of Charlemagne, allowing for a certain imprecision in dating.⁷⁶ Using the criteria of classifying annals as ecclesiastical suggested earlier, sixteen of the twenty-nine can be considered ecclesiastical.⁷⁷ This is certainly a large number, but it

⁷⁶ I have intentionally cast the net widely here, including a number of annals that continue past Charlemagne's death, but perhaps were begun earlier. They are: *Annales Alamannici*, *Annales Augienses*, *Annales Bavarici breves*, *Annales brevissimi Sangallenses*, *Annales Fuldenses antiquissimi*, *Annales Guelferbytani*, *Annales Iuvavenses maiores*, *Annales Iuvavenses maximi*, *Annales Iuvavenses minores*, *Annales Laubacenses*, *Annales Laurehamenses* (Annals of Lorsch), *Annales Laurissenses minores/Chronicon Laurissense breve*, *Annales Lugdunenses*, *Annales Maximiniani*, *Annales Mosellani*, *Annales Nazariani*, *Annales Petaviani*, *Annales Salisburgenses*, *Annales Sanctae Columbae Senonensis*, *Annales Sancti Amandi*, *Annales Sancti Amandi breves*, *Annales Sancti Emmerammi Ratisponensis maiores*, *Annales Sancti Emmerammi Ratisponensis minores*, *Annales Sangallenses Baluzii*, *Annales Sangallenses breves*, *Annales Sangallenses maiores*, *Annales Sancti Maximini Trevirensis*, *Annales Tiliani*, *Annales Weingartenses*. This list is subject to two main difficulties. The first of these is distinguishing between versions of the annals: When do related texts begin to count as separate works rather than readaptations? One could argue that some of the texts that survive in different versions but are counted here as one text should be classed as separate sets of annals, or, alternatively, that works treated here as separate texts are simply different versions of the same text. For instance, I have not treated the *Annales Sancti Amandi brevissimi* as a separate text and thus it is not included in this list, although the point could be argued, as it could for other annals. Similarly, I have included the *Annales Sangallenses maiores*, even though they are deeply derivative of the *Annales Alamannici* for the earlier sections, because they might reflect some contemporary note-taking and editing. However, pending further much needed manuscript work, this list gives at least an approximate sense of the evidence. For the complexity of the transmission of some of these texts see, for example, on the *Annales Fuldenses antiquissimi*: Raaijmakers, *The Making of the Monastic Community*, pp. 54–61; Corradini, "Zeiträume-Schiffräume"; Corradini, "The Rhetoric of Crisis." Matthew Field's forthcoming Princeton dissertation on the minor annals will be an important contribution. The second major difficulty with this list is how to date these texts, which is very challenging and will eventually depend on further manuscript work. The list given here is my best estimation. I hope others will refine it. Despite the problems with establishing a corpus of minor annals contemporary to Charlemagne, I think we have sufficient texts available to make arguments about the genre of text as a whole. A final complication is that some annals are written as marginal notes to other texts, and others as free-standing works. While these differences in layout and relationship to other works provide significant information about the nature of particular texts, I do not think the distinction is an essential defining feature of the genre. Annals written as notes or full texts are thus both treated here as relevant works.

⁷⁷ The annals I would place in this category are: *Annales Augienses*, *Annales brevissimi Sangallenses*, *Annales Fuldenses antiquissimi*, *Annales Iuvavenses maiores*, *Annales Iuvavenses maximi*, *Annales Iuvavenses minores*, *Annales Laurissenses minores/Chronicon*

becomes less overwhelming when we remember that virtually all of the “major” annals cannot be simply linked to a religious institution. History-writing as a whole was not a predominantly monastic endeavour, and while the bare majority of minor annals are linked to a monastery, church, or diocese, there are still enough different texts to reveal that even this kind of history-writing was more variable than has been supposed. We must also remember that many of the texts tied to a particular institution are identified by just occasional references to a particular place, and devote most of their attention to imperial events. The *Annales Sancti Amandi* are one such example. There are a few other annals that truly appear to be lay texts, that is, texts that demonstrate no clear connections to any religious institutions whatsoever. Some of these annals that have no clear sign of a tie to a particular religious institution may still have links to monasteries in their history of copying and transmission. Indeed, drawing hard and fast lines between lay and religious culture in the early Middle Ages is counter-productive. However, the historiography has been dominated by the assumption that these texts are almost solely monastic. Looking again at some texts without a clear tie to a religious institution without assuming monastic links allows us to situate these sources in a different context. We may not be able to exclude a monastic setting at any point in the composition and transmission of such annals, but it is more important to emphasize what does emerge strongly from such texts, namely, their general interest in political life.

The *Annales Guelferbytani* provide an illustrative example. These annals are largely similar to a set of texts from Alemannia (with some significant exceptions, like the *Annales Nazariani*’s testimony on the revolt of Hardrad) until 791, when the group diverges from the common stem text.⁷⁸ The *Annales Guelferbytani* then run from 791–805, with a few later additions in different hands.⁷⁹ For the period

Laurissense breve, Annales Lugdunenses, Annales Salisburgenses, Annales Sanctae Columbae Senonensis, Annales Sancti Amandi, Annales Sancti Amandi breves, Annales Sancti Emmerammi Ratisponensis maiores, Annales Sancti Emmerammi Ratisponensis minores, Annales Sangallenses maiores, Annales Weingartenses. This is not to say other annals might not include some localizable information, but not enough, to my mind, to make a clear connection to a religious center. One could argue some of the attributions, but I hope the list gives a sense of scale.

⁷⁸ See Chapter 3, pp. 140–9 for discussion of the account of the revolt of Hardrad in the *Annales Nazariani*, with further references.

⁷⁹ Lendi, *Untersuchungen zur frühalemannischen Annalistik*, pp. 91–3. On the manuscript and the different sections of the annals, see Garipzanov, “*Annales Guelferbytani*,” pp. 123–7. Garipzanov also re-edits the later additions and offers an English translation.

in which it is an original, independent text, namely, the years 791–805, the text records purely royal and political events.⁸⁰ The author(s) seem to have a good sense of major events, recording, for instance, envoys from the empress Irene in 799, as well as more obvious occurrences such as the imperial coronation, noted under 800.⁸¹ Yet, the text suggests a fairly general knowledge rather than a court perspective, as, for instance, when it notes for one year that the king sent troops where they were needed, without specifying the details of the campaign.⁸² The text includes events of importance to the court, such as the judicial reforms of 801–2, and thus might hint at knowledge of the reform capitularies of those years.⁸³ The annals also have a particular interest in the king's sons, whose activities are noted more frequently than in most of the minor annals.⁸⁴ All of these indications taken together suggest that these annals were compiled by a well informed aristocrat(s), with reasonable knowledge of events at court, but without especially close ties to the king himself. If we do assume aristocratic authorship, a presumption I am willing to make, then such acquaintance, even if briefly, with life at court is to be expected. We cannot rule out that the author(s) was a cleric, but the text as we have it gives us no reason to assign it to an ecclesiastical setting.⁸⁵ It is simply a reflection of local recording of royal, political events. Texts like the *Annales Guelferbytani* reveal the existence of a spectrum of informed consumers of political information, who were knowledgeable

⁸⁰ Compare Collins, "Charlemagne's Imperial Coronation," p. 59, who claims the *Annales Guelferbytani* in this period "is no more than an epitome of the entries of the RFA [Royal Frankish Annals] for the same period." The information recorded may well come from the Royal Frankish Annals, but there are important differences in perspective in the two texts. For similar arguments on the wider perspective of the *Annales Guelferbytani*, see Garipzanov, "Annales Guelferbytani."

⁸¹ *Annales Guelferbytani* s.a. 799 and 800, edited in SS I, p. 45 and *Untersuchungen zur frühalemannischen Annalistik*, ed. Lendi, p. 173.

⁸² *Annales Guelferbytani* s.a. 793, SS I, p. 45 and ed. Lendi, *Untersuchungen zur frühalemannischen Annalistik*, p. 169, which I cite here: "inde transmisit scara sua ubi necesse fuit."

⁸³ *Annales Guelferbytani* s.a. 801 (SS I, p. 45, and ed. Lendi, *Untersuchungen zur frühalemannischen Annalistik*, p. 173, which I cite here): "karolus imperator de roma perrexit in francia usque ad aquas et ibi plaidavit et inde transmisit missos suos super omnia regna sua iustitias faciendas et iurare fecerunt omnes liberi ad suam iustitiam." See further discussion of this passage on pp. 203–5.

⁸⁴ The references to the king's sons are as follows: s.a. 791 (Pippin), s.a. 792 (Pippin, Louis, and Pippin the Hunchback), s.a. 796 (Pippin), s.a. 797 (Pippin and Louis), s.a. 799 (Charles the Younger), s.a. 800 (Pippin): SS I, p. 45, and ed. Lendi, *Untersuchungen zur frühalemannischen Annalistik*, pp. 167, 171–3.

⁸⁵ See also Garipzanov, "Annales Guelferbytani," p. 131.

about what Charlemagne did without themselves being especially deeply implicated in Carolingian governance.⁸⁶

It is also possible to distinguish more specifically than ecclesiastical/non-ecclesiastical. Some annals are not just local, but individual in their perspective. There is one set of annals, for example, which combines announcements about major events linked to the diocese of Lyons with notes about the birth, arrival in Frankish territory, and ordination of a particular individual.⁸⁷ Thus, the corpus of minor annals includes a number of religious texts, which also reflect a concern for royal events and activities, a number of lay texts suggesting fairly widespread curiosity about the doings of the king, some exceedingly personal texts, and others that are very hard to classify other than to say that they reflect a common interest in major political events.

Another category is texts that can truly be called royal annals. In addition to the Royal Frankish Annals themselves, a few other annals offer hints that they may be closely linked to the palace. The first thing we must note about Carolingian histories is the number of such texts that were patronized by the royal family.⁸⁸ At least some of the histories known as the Continuations of Fredegar were written under the direction of members of the royal family.⁸⁹ The Royal Frankish Annals, despite continuing questions about some of the details of its composition and manuscript transmission, is a court account of the reign, written up in sections from around 788 on.⁹⁰ The *Annales Mettenses priores* have been debated in terms of what exactly they are trying to say about succession, but the attribution of the text to the sponsorship of Gisela, Charlemagne's sister and the abbess of Chelles, is now generally

⁸⁶ Another example is the *Annales Tiliani*. Garipzanov, "Annales Guelferbytani," emphasizes a move from a focus on the Franks to a focus on the king in the *Annales Guelferbytani*, but also makes some similar points about the political vision of the text. I am not convinced by all of his comments about the dating and localization of the text, but his perspective on the arguments of the text is helpful. Another important example of a well informed text with an argument to make is the *Annales Maximiniani*, as studied by Close, "Les *Annales Maximiniani*." I would not agree with all of her claims about the text's interest in the imperial coronation, but her demonstration of its sophistication and value is excellent.

⁸⁷ This is the so-called *Annales Lugdunenses*.

⁸⁸ And also focused on the Carolingian rulers: McKitterick, "The Carolingian Renaissance of Culture and Learning," pp. 162–3.

⁸⁹ On the convoluted authorship of some of this work see Collins, *Fredegar*; Goffart, "The Fredegar Problem Reconsidered"; Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part II, chapter 2.

⁹⁰ See now the survey of the literature on this issue in McKitterick, *History and Memory*, pp. 102–4 and the synthesis in McKitterick, *Charlemagne*, pp. 31–43.

accepted.⁹¹ There are also some minor annals that we should perhaps interpret in terms of their connections to the royal family, or at least to the royal court. In particular, the *Annales Petaviani* were also plausibly written if not at court, then by someone with significant court ties.⁹² The inclusion of the text in legal manuscripts, which, as we saw earlier, is very unusual for such annals and for legal manuscripts, is one sign of its special status.⁹³ Some of its content too hints at a court link. For instance, its depiction of one in the long line of Saxon defaults in 792 emphasizes the perfidy and disloyalty of the Saxons, and this in a year in which the Royal Frankish Annals, generally focused on the Saxons, ignore the region.⁹⁴ Another example is the annals' depiction of the fall of Bavaria in 788, in which Charlemagne's bloodless victory is celebrated as an echo of Old Testament events.⁹⁵ The fact that the *Annales Petaviani* end in 799, just on the brink of the imperial coronation, is also evocative of their link to court concerns. All of these features suggest that this text was, if not directly sanctioned by the king, written by someone aware of, and in agreement with, many ideas held dear at Charlemagne's court. In short, just because the Royal Frankish Annals are more securely linked to the court does not mean that we cannot posit the existence of other such texts tied to the court.⁹⁶

⁹¹ On succession: Compare Hen, "The Annals of Metz"; Haselbach, *Aufstieg und Herrschaft*, pp. 182–3, and Kaschke, *Die karolingischen Reichsteilungen*, pp. 217–19, 245–8, with my interpretation in Chapter 8, pp. 415–23. On attribution: McKitterick, *History and Memory*, p. 125; Hen, "The Annals of Metz," pp. 176–7; Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 3, section 3. Whether Gisela was actually an abbess has been questioned: M. Hartmann, *Die Königin*, p. 199.

⁹² Compare Halphen, *Études critiques*, pp. 41–4; Waitz, "Über die Annales Petaviani."

⁹³ Namely, in Paris, Bibliothèque Nationale, lat. 4995 (on which see Mordek, *Bibliotheca*, pp. 549–55); Vatican, Biblioteca Apostolica Vaticana, Reg. Lat. 520 (Mordek, *Bibliotheca*, pp. 827–30). For other manuscripts combining capitularies and historical texts, see Table 4.1.

⁹⁴ *Annales Petaviani* s.a. 792, p. 18: "Hoc anno rex Karolus cum suis fidelibus resedit in Bawarios, et habuit magnum placitum in Rainesburgo civitae. Eodem anno Saxones mentiti sunt fidem quam polliciti fuerunt iam dudum domno regi Karolo, erraverunt, deviaverunt, adeptique sunt tenebris sicut scriptum est: *Zelus adprehendit populum eruditum*. Et eodem anno patefactum est consilium iniquum, quem consiliaverunt cum Pipino, filio Karoli, iniqui consiliatores; unde reprobi apparuerunt, et receperunt suorum meritum." Compare with Royal Frankish Annals s.a. 792, p. 92, which notes no campaign for the year.

⁹⁵ *Annales Petaviani* s.a. 788, p. 17 (with correction in SS III, p. 170): "Eodem quippe anno fuit placitus Anglishaimo, et idem anno pugnavit omnipotens Deus pro domno rege Karolo, sicut fecit pro Moyse et filios Israel, quando demersus fuit Farao rubro mari: sic Deus potens praeliator sine bello et absque ulla altercatione tradidit regnum Bawarium in manu Karoli magni regis; et Taxilo dux tonsus est, retrusque Gemitico monasterio."

⁹⁶ See also Wattenbach, Levison, and Löwe, *Deutschlands Geschichtsquellen*, pp. 186–7 on the *Annales Petaviani* and a potential court link.

The point about other court annals raises the question of the status of the Annals of Lorsch.⁹⁷ This text has been generally interpreted as another of the minor annals, albeit more extensive than most, and the idea that it was tied to the court often rejected, particularly since a contradiction between being both “minor” and “court” annals is assumed.⁹⁸ But the suggestion that this history is another court text should not be dismissed so easily.⁹⁹ Some regional ties need not invalidate the point that the text presents a court perspective, provides information that seems quite closely tied to the concerns of the court, and is in its length and structure more similar to the Royal Frankish Annals than to the other minor annals, many of which features have also been noted by Roger Collins and Rosamond McKitterick.¹⁰⁰ As we will see shortly, the Annals of Lorsch have much to say about matters important at the royal court. Historians since Ranke have tended to assume that having defined the Royal Frankish Annals meant that *the* royal history had been found.¹⁰¹ But how do we know there was only one? It is a modern assumption, really, that a court should produce an official version of events. In truth, the Royal Frankish Annals offer one court view of events, one which need not preclude others.¹⁰² It is even possible that the Royal Frankish Annals themselves should be seen as presenting multiple court perspectives, a point underlined by Roger Collins’ arguments suggesting that the revised version of the Royal Frankish Annals may date to the end of the reign of Charlemagne.¹⁰³ While the multiple

⁹⁷ Bullough, “*Europae Pater*,” p. 65; Collins, “Charlemagne’s Imperial Coronation”; and famously on the possibility that we have an autograph manuscript: *Codex Vindobonensis* 515, ed. Unterkircher, pp. 18–20. My arguments about the Annals of Lorsch relate to its independent sections, not the stem text.

⁹⁸ For a review of the older scholarship, see Hoffmann, *Untersuchungen zur karolingischen Annalistik*, pp. 76–90. For a more recent perspective, see McKitterick, *History and Memory*, pp. 108–11.

⁹⁹ Fichtenau, “Abt Richbod.” I am not convinced by the attribution of the work to Ricbod, but I do think the court perspective is clear; see further pp. 203–5. And see too Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapters 2 and 3 on the nature of the Annals of Lorsch.

¹⁰⁰ See now the useful discussion of the court perspective of the Annals of Lorsch and the sections which contain local information, which ceases after 785, in Collins, “Charlemagne’s Imperial Coronation” and McKitterick, “Entstehung und Gestaltung.”

¹⁰¹ While we can question how much the Royal Frankish Annals should be seen as official, sanctioned court history, their status as a court text seems clear to me. See also McKitterick, *History and Memory*, p. 21 on what it means for something to be a court text.

¹⁰² McKitterick, *Charlemagne*, pp. 31–3 on the Royal Frankish Annals as a court source.

¹⁰³ Collins, “The ‘Reviser’ Revisited.” I am not convinced by Collins’ dating, but the point that there were multiple court perspectives is very clear.

problems about the manuscript transmission of the Royal Frankish Annals and their stages of composition cannot be resolved here, the surviving manuscripts do present different versions of the text that probably circulated simultaneously.¹⁰⁴ The court cannot be turned into a monolithic block where everyone shared the same ideas, nor can we forget that opinions change over time. If the Royal Frankish Annals provided a model for the minor annals, they provided a moving target. Building on this recognition of diverse viewpoints at court allows us to think about multiple annalistic texts as royal in some sense. It also allows us to emphasize that even some of the minor annals (including ones less extensive than the Annals of Lorsch) possess a strong picture of the basic politics and events of the entire realm.

Most of the annals I have judged unclassifiable are also hard to localize geographically. They provide little hint beyond the stem texts of where they were composed. The information they offer is rarely connected to either a place or a category of people. Indeed, attempting to classify the annals in this way obscures one of the most defining features of the minor annals. That is, the fact that so many of the minor annals cannot be classified according to authorship or geography provides us with a group of "imperial" texts, such as the *Annales Guelferbytani*. By this I mean texts interested in the politics of the realm at large. These imperial texts should be distinguished from the royally-sponsored texts or court-linked texts discussed earlier. These sources need not have had direct ties to the court, but reflect a local interest in imperial events. In contrast to what is often written of medieval people, their horizons were defined by the lands ruled by the king rather than by the particular locality in which they lived.¹⁰⁵ Our difficulty in assigning the annals to categories or to locations is thus to be taken as a sign that this is not the best way to approach these documents.

¹⁰⁴ See now the essential analysis of Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III. Part of the difficulty, however, is that we do not have immediately contemporary manuscripts. There are three major dating problems with the Royal Frankish Annals. First, when was the revision composed? Second, once there is only one version after 801, when were these later annals written (with due attention to the fact that they were likely not all written at once)? Third, what other phases of composition within the annals can we discern? I have treated the original version of the Royal Frankish Annals as a source contemporary to Charlemagne, including the annals from the years when we have only one version, and the revision as a text subsequent to the reign of Charlemagne. Nonetheless, problems remain for further research to resolve.

¹⁰⁵ Compare Riché, *Daily Life*, p. 3.

Charlemagne's political world through the lens of the "minor annals"

Focusing on the broad reach of the annals offers a way into understanding what these sources can tell us about the diffusion of knowledge and ideas in the Carolingian lands.¹⁰⁶ First, these texts reflect an interest in the world at large and in Charlemagne in particular. The authors of annals often make a point of focusing on him and his activities rather than just on the events. That is, rather than noting that there was a battle in Saxony, the annals tend to note that Charlemagne fought a battle in Saxony.¹⁰⁷ The political world as glimpsed in these annals is overwhelming royal. Individuals mentioned are either Carolingians, international figures like the pope or Byzantine emperor, or religious personnel.¹⁰⁸ There are few references to secular figures of authority, which is also true of the Royal Frankish Annals themselves.¹⁰⁹ The annals also reveal a

¹⁰⁶ For some similar comments on the Royal Frankish Annals itself, see Eggert, "Zu Inhalt."

¹⁰⁷ A typical example is the *Annales Alamannici* s.a. 785, p. 41, and in *Untersuchungen zur frühalemannischen Annalistik*, ed. Lendi, p. 156, which I cite here from the *Codex Turicensis*: "rex karolus in eresburg resedit et saxones in pace conquist. See also Collins, 'Charlemagne's Imperial Coronation', 58."

¹⁰⁸ As in the case of the Royal Frankish Annals, exceptions are leaders of neighboring peoples. There are occasional references to people important in a given region, as, for instance, the record of the death of Prefect Gerold in 799 (*Annales Alamannici*, SS I, p. 48; *Untersuchungen zur frühalemannischen Annalistik*, ed. Lendi, p. 172; *Annales Augienses*, p. 67; *Annales Weingartenses*, p. 65; *Annales Sangallenses maiores*, p. 75; *Annales Iuvavenses minores*, p. 89 [p. 737 in the re-edition]). It should be noted that Gerold was not simply an ordinary count; his death was also noted by the Royal Frankish Annals (s.a. 799, p. 108). On his career, see Ross, "Two Neglected Paladins"; Borgolte, *Die Grafen Alemanniens*, pp. 122–6.

¹⁰⁹ The Royal Frankish Annals rarely mention any individual aristocrats (I leave aside foreign leaders and their emissaries, and members of the royal family) by name; the exceptions follow: Carloman's partisans in 771 (p. 32); Hrodgaud in 775 (p. 42) and 776 (pp. 42–4); the submission of Hildebrand of Spoleto in 779 (pp. 52–4); emissaries to Bavaria and the baptism of Charlemagne's daughter Gisela by Thomas of Milan in 781 (pp. 56–8); those involved in the battle of Suintal in 782 (p. 60); hostages with an emissary in 785 (p. 70); invasion of Brittany in 786 (p. 72); battles in 788 (p. 82); Felix of Urgell, proponent of the Adoptionist heresy in 792 and again in 794 (p. 90, p. 94); Angilbert's missions (792, p. 90 and 796, p. 98); battle with the Avars and Slavs (in 796, p. 98 and 798, p. 104); diplomatic envoys and battles in 799 (pp. 106–8); envoys to the Middle East (in 800, pp. 110–12 and in 801, p. 116); preparing the fleet in 801 (p. 116); envoys to Constantinople and Duke Winigis in 802, and again the duke in 803 (p. 117, p. 118); Einhard bringing the *Divisio regnorum* to the pope and a count killed fighting the Moors in 806 (pp. 121–2); two envoys and a military leader in 807 (pp. 123–4); *missi* accompanying an Anglo-Saxon king in 808 (p. 127); an embassy to Rome, a count building defenses against the Danes, and a Spanish count in 809 (pp. 129–30); in 810 an envoy and a freed count (pp. 132–3); in 811 embassies to Constantinople and to sign a peace treaty with the Danes (pp. 133–4); and in 813 envoys to Byzantium and a count active in the Spanish March (pp. 137–9). See also Fried, *Karl der Grosse*, pp. 83–4. On bishops mentioned by name in the Royal Frankish Annals, and the rarity of such mentions and their almost inevitable link to royal activity, see Patzold,

perhaps surprising amount of knowledge of current events.¹¹⁰ Far from appearing as isolated monks concerned only with their own houses, immediate events of the area, and occasional royal references, the majority of annalists are much more interested in royal events than anything local. The events mentioned are admittedly relatively basic.¹¹¹ Most annals do not provide much detail.¹¹² But for the most part they get the facts right.¹¹³ In this light, and contrasted with the image of medieval people as confined by narrow perceptions and narrow lives, the minor annals reveal an impressive grasp of the issues of the day. Placed next to the constant emphasis in the capitularies on knowledge and participation, the minor annals illustrate that these exhortations did not fall on deaf ears.¹¹⁴ The diffusion of minor annals, their intended audience, and the extent to which they were known all remain open questions, thus prohibiting a final judgment on the general applicability of the model of knowledgeable authors revealed in the minor annals. Still, even if we are uncertain of

Episcopus, pp. 51–3. Patzold, *Episcopus*, pp. 106–17 notes that the same is true of many historical sources from before the 820s.

¹¹⁰ To give one instance, the *Annales Mosellani* s.a. 795, p. 498, offers a relatively good sense of events of the year: “Hoc anno in principio anni Adrianus papa obiit, cui Leo in regimine successit. Rex vero Karlus in eadem villa Aquis nativitatem Domini celebratam ibi usque ad mensem Iunium quietus permansit. Inde autem in Saxoniam pergens eamque latius vastando peragrans, iterum prospere tempore autumnus ad Aquis venit et usque ad terminum praesentis anni tranquillus resedit.” The account leaves out an assembly and some Slavic events, but covers most other major activities of the year. Compare Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, no. 328.

¹¹¹ For example, see *Annales Tiliari* s.a. 802, p. 223: “Herena imperatrix de Constantinopoli misit legatum, Leonem nomine, spatarium de pace confirmanda inter Francos et Graecos: et imperator vicissim propter ipsum, absoluto illo, misit Iesse episcopum et Helingaudum comitem, ut pacem cum ea statuerent. Celebravit pascha ad Aquis. Ipsius anni mense Iulio venit Isaac cum elifanto, et nomen elifanti est Abulabaz. Ipso anno Grimoldus Winighisum accepit, captumque honorifice habuit. Imperator Aquisgrani natale Domini celebravit.” This depiction is taken from the Royal Frankish Annals, and thus follows their model in ignoring the legislation of this year. The entry for this year in the *Annales Tiliari*, while leaving out a few events recorded in the Royal Frankish Annals, does give a basic record of events.

¹¹² For example, *Annales Sangallenses Baluzii* s.a. 782, p. 63: “hoc anno domnus rex Karolus plures de Saxonis interfecit.” There is a complication which should be noted. Many of the minor annals begin with this sort of one-sentence-per-year format and then become more extensive for the years of Charlemagne's reign. The *Annales Tiliari*, *Annales Petaviani*, *Annales Nazariani*, and the Annals of Lorsch do this. It is less blatant in the *Annales Guelpherbytani* and *Annales Alamannici*.

¹¹³ The most common error is confusion over dating, usually when one year was incorrect, which sometimes led to cascading dating errors (an example is the *Annales Augienses*, which has multiple dating errors). These dating errors may relate to confusion over various dating methods: Corradini, “Zeiträume-Schiffräume,” p. 160. As for basic content, the annals are remarkably free of mistakes.

¹¹⁴ For capitulary legislation on communication see, for instance, *Capit. I*, no. 64, c. 17, p. 153.

the reach of these texts, their existence in relatively large numbers paints the knowledge of Carolingian people in a surprisingly positive light.

This sense of general knowledge also touches on the question of how the information included in the minor annals became known to their authors. The minor annals characteristically include only one or perhaps two events in a year.¹¹⁵ The most frequent types of events mentioned are wars or something unusual, such as the coronation of 800.¹¹⁶ There are times when the annals speak of the Franks as a group, especially when recording a year without war, which is often marked by noting “the Franks rested,” or something similar.¹¹⁷ If the annals focus on what we might call current events, we need to explain how this information was acquired and diffused. The best guess is probably positing borrowing, largely from the Royal Frankish Annals.¹¹⁸ For all of the minor annals to have had access to copies of the Royal Frankish Annals quickly enough to base their own annals on them implies distribution on a tremendous scale, even if what was circulating was small booklets containing parts of the text.¹¹⁹ While this is theoretically possible in the light of the wide manuscript diffusion of the Royal Frankish Annals, it cannot be proven at this point.¹²⁰ We can speculate about other possible methods of information diffusion.¹²¹ First, there is no reason why only one text needs to supply all the information. Some of the other annals, perhaps even some court texts, could have circulated in addition to the Royal Frankish Annals.¹²² The events noted in the minor annals are usually fairly large-scale and important undertakings. Thus, these could have been

¹¹⁵ A characteristic formulation is *Annales Nazariani* s.a. 780, SS I, p. 40, and *Untersuchungen zur frühalemannischen Annalistik*, ed. Lendi, p. 157, which I cite here: “franci in saxoniam. deinde carolus rex ad romam perrexit.”

¹¹⁶ The emphasis on war is explicable given the borrowings from the Royal Frankish Annals. The coronation is mentioned in most annals which include the year 800 (exceptions include *Annales Alamannici* and *Annales Weingartenses*).

¹¹⁷ For example, see *Annales Guelpherbytani* s.a. 790, SS I, p. 44, and ed. Lendi, *Untersuchungen zur frühalemannischen Annalistik*, p. 165, which I cite here: “anno franci quieverunt.”

¹¹⁸ For the debates on priority, see pp. 181–2, 184, 187, 191.

¹¹⁹ See further McKitterick, *History and Memory*, pp. 108–13.

¹²⁰ The Royal Frankish Annals were one of the best known texts of the early Middle Ages. The manuscripts are discussed in the introduction to the edition (pp. viii–xvi). All the difficulties, however, have not yet been resolved. The distinction between the “original” version and its revision is only one of many quandaries surrounding the composition and dissemination of the Royal Frankish Annals. See now McKitterick, *Charlemagne*, pp. 27–43 for the state of the question and pp. 197–8.

¹²¹ I am not convinced by all of his comments on previous written sources, but the richest discussion of ways of moving information thus far is: K. Brunner, “Auf den Spuren,” especially pp. 14–15, 18–22. For some similar comments on information moving, see also Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III.

¹²² See also McKitterick, “History, Law and Communication,” pp. 945–6.

known throughout the realm through word of mouth, local preparations for these events, and the participation of many people. I have sought to argue against an overstating of clerical authorship of minor annals here, but some were certainly written by clerics, and we should simply remember clerics too went to war and assemblies and court.¹²³ Events like war and the coronation necessitated movement and participation from throughout the realm, thus making it more likely that most people were aware of these kinds of events.¹²⁴ Finally, references in the sources to the reading out of capitularies and to meetings and *placita* suggests that events judged to be of special import by either the king or a count could have been announced on such public occasions.¹²⁵ The most likely answer to how the authors got their information is probably a combination of all of the above. For our purposes, the most essential point is that the annalists did have this information, regardless of how they gathered or received it. In sum, the picture of a well informed and interested population fits in with the capitulary legislation on knowledge and participation and reveals the existence of networks of diffusion.

Yet, the world we can glimpse through the annals was not just one in which the king dominated political life. One of the most important features of the minor annals is that at times they provide an independent viewpoint on events not mentioned or played down in more extensive sources.¹²⁶ One example is the local information on the revolt of Hardrad provided by the *Annales Nazariani*.¹²⁷ Another example is references to law in the historical sources. The Royal Frankish Annals have little to say about Charlemagne's legislation.¹²⁸ Einhard denigrates Charlemagne's legal work.¹²⁹ The *Annales Mettenses priores* are not at all hostile to legislation, but they do not treat the topic directly.¹³⁰ The silence or

¹²³ See, for instance, the account of Angilram of Metz dying on campaign; Annals of Lorsch, s.a. 799, in *SS I*, pp. 34–5, and generally Prinz, *Klerus und Krieg*.

¹²⁴ On the circulation of information reflected in the minor annals, see also McKitterick, *Perceptions of the Past*, pp. 81–9; McKitterick, “Entstehung und Gestaltung.”

¹²⁵ See p. 35 earlier, and on assemblies as means of distributing information, see Airlie, “Talking Heads”; Nelson, “Was Charlemagne's Court a Courtly Society?” p. 55.

¹²⁶ For some similar points about imperial and local perspectives in historical texts, see also Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 3.

¹²⁷ On which see McKitterick, *Perceptions of the Past*, chapter 3, Brunner, “Auf den Spuren” (with examples other than Hardrad), and further discussion in [Chapter 3](#), pp. 140–9.

¹²⁸ See, for example, the Royal Frankish Annals' account of the Synod of Frankfurt in 794, p. 94, which reduces the complex legislation produced by that meeting to simply a condemnation of Adoptionism and Iconoclasm.

¹²⁹ Einhard, *Vita Karoli*, c. 29, p. 33.

¹³⁰ To my mind, the most interesting references to law in the *Annales Mettenses priores* are to the concerns of the law rather than to legislating itself. For example, there are references

hostility that we find in the major narrative sources is even more glaring in light of the multiplicity of legal sources that emerged from Charlemagne's court. Yet, the minor annals in this case provide narrative evidence otherwise inaccessible to us about the giving of laws. The most important text in this regard is the Annals of Lorsch.¹³¹ The text has a particular interest in law, offering extensive descriptions of the Synod of Frankfurt and of the legislation issued in 802. The account of 802 is so detailed that it is possible that the author had access to some of the capitularies promulgated during this period, or that he may even have participated in the events he described.¹³² I have already suggested that the original portion of this text may itself be a court production, a contention that is supported by the presentation of legal work in line with the royal understanding. The Annals of Lorsch are also justly

to protecting the poor and weak (s.a. 692, p. 14 and s.a. 748, p. 40) and to peace and justice (s.a. 692, p. 15, s.a. 739, p. 30, s.a. 751, p. 43, s.a. 786, p. 74, s.a. 798, p. 83).

¹³¹ This text is remarkable for its interest in both the ceremonies and their substance, an interest made clear in the depictions of the Synod of Frankfurt, the coronation of 800, and the legislation of 802 (see further next note). The passages in question are in SS I, pp. 35–6, 38, and 38–9, and in Unterkircher, ed., *Codex Vindobonensis 515*, pp. 33 (partial entry), 37–8, and 39–41, respectively. See also McKitterick, "Entstehung und Gestaltung," pp. 109–10.

¹³² Annals of Lorsch s.a. 802, SS I, pp. 38–9, also in *Codex Vindobonensis 515*, ed. Unterkircher, pp. 39–41, which I cite here: "Eo anno demorauit domnus caesar carolus apud aquis palatium quietus cum francis sine hoste. sed recordatus misericordiae suae de pauperibus qui in regno suo erant, et iustitias suas pleniter abere non poterant. noluit de infra palatio pauperiores uassos suos transmittere ad iustitias faciendum propter munera sed elegit in regno suo archiepiscopos et reliquos episcopos et abbates cum ducibus et comitibus qui iam opus non abebant super innocentes munera accipere et ipsos misit per uniuersum regnum suum ut ecclesiis uiduis et orfanis et pauperibus et cuncto populo iustitiam facerent. et mense octimbrio congregauit uniuersalem synodum in iam nominato loco. et ibi fecit episcopos cum presbiteris seu diaconibus relegi uniuersos canones quas sanctus synodus recepit, et decreta pontificum et pleniter iussit eos tradi coram omnibus episcopis presbiteris et diaconibus similiter in ipso synodo congregauit uniuersos abbates et monachos qui ibi aderant, et ipsi inter se conuentum faciebant et legerunt regulam sancti patris benedicti et eam tradiderunt sapientes in conspectu abbatum et monachorum. et tunc iussio eius generaliter super omnes episcopos abbates presbiteros, diacones seu uniuerso clero facta est ut unusquisque in loco suo iuxta constitutionem sanctorum patrum siue in episcopatibus seu in monasteriis aut per uniuersas sanctas ecclesias ut canonici iuxta canones uiuerent. et quicquid in clero aut in populo de culpis aut de negligentis apparuerit, iuxta canonum auctoritate emendassent et quicquid in monasteriis seu in monachis contra regula sancti benedicti factum fuisset hoc ipsud iuxta ipsam regulam sancti benedicti emendare fecissent. Sed et ipse imperator interim quod ipsum synodum factum est congregauit duces comites et reliquo christiano populo cum legis latoribus et fecit omnes leges in regno suo legi et tradi unicuique homini legem suam et emendare ubicumque necesse fuit, et emendatum legem scribere et ut iudices per scriptum iudicassent et munera non accepissent sed omnes homines pauperes et diuites in regno suo iustitiam habuissent. et eo anno peruenit elefans in Francia." For some similar arguments, see Fichtenau, "Abt Richbod."

famous because they are preserved in a manuscript that may have been written up year by year.¹³³ The Chronicle of Moissac (dating from early in the reign of Louis the Pious) similarly discusses law in detail, basing its comments on the Annals of Lorsch.¹³⁴ The Annals of Lorsch thus may not provide independent evidence of interest in law, but they do reveal that it was possible for annalistic sources to include such discussions.

Other sources with more independent perspectives, however, take up the Annals of Lorsch's interest in law in 802. We also have four further sets of annals, three of which are again connected, which provide information on law.¹³⁵ Six texts, five of which are based on each other, may not seem so impressive at first glance. When we remember, however, that law giving was not necessarily an "event" in the way a battle was and that the minor annals (like the Royal Frankish Annals) are most interested in "events," this number seems more impressive. In addition, the three groups of texts demonstrate no significant relationship with each other, suggesting we have three distinct witnesses to the knowledge of law.¹³⁶ Even if the Annals of Lorsch were associated with the court, they can still provide evidence of diffusion and of the king's interest in having his legal work recorded and made known. The other texts have no direct links to the king and simply reveal that their authors on their own volition

¹³³ Unterkircher, *Codex Vindobonensis* 515, pp. 18–20. For a more skeptical account, see Collins, "Charlemagne's Imperial Coronation," pp. 55–64, and for a detailed look at the manuscript evidence, see McKitterick, "Entstehung und Gestaltung," pp. 110–13.

¹³⁴ The Chronicle of Moissac is a very important text in terms of knowledge of law. It adds to the descriptions of the Synod of Frankfurt and 802 in the Annals of Lorsch (Chronicle of Moissac s.a. 794 and 802, pp. 300–2 and 306–7, re-edited in Kettemann, "Subsidia Anianensia," part 2, pp. 74–80 and 101–3, and in Kats and Claszen, "Chronicon Moissiacense Maius," part 2, pp. 131–3 and 140–1) from the capitularies of Charlemagne. The extra information is taken from *Capit.* I, no. 28, c. 2, pp. 73–4 and (possibly) from *Capit.* I, no. 38, c. 2, p. 110 respectively.

¹³⁵ *Annales Guelferbytani* s.a. 801, SS I, p. 45, and ed. Lendi, *Untersuchungen zur frühalemannischen Annalistik*, p. 173, as cited in Note 83. *Annales Iuvavenses maximi*, s.a. 802, p. 736: "Karolus imperator sinodum examinatione cum sacerdotibus habuit ad Aquasgrani pallatii. *Annales Iuvavenses maiores* s.a. 801, p. 87 (s.a. 801 and 802, p. 736 in the re-edition, which I cite here): "Carolus imperator synodum examinationis episcoporum et clericorum fecit in Aquis p[alatio] mense Novembrio et alium mense Aprilio ita . . . Iter[um] tertium synodum fecit mense Martio." *Annales Iuvavenses minores* s.a. 801, p. 89 (p. 737 in the re-edition, which I cite here): "Karolus imperator factus est. Primam synodum examinationis fecit in Aquis."

¹³⁶ The groups are distinct in terms of content and, as far as we can tell, in terms of composition. The relationship between the Annals of Lorsch and the *Annales Guelferbytani* does not hold for the later independent sections of these texts from where these references come. The *Annales Sancti Amandi* (s.a. 802, p. 14) also refer to the swearing of the oath. There is also another text, the *Annalium Lobienium fragmentum*, written later in the Carolingian period, which offers a similar view of law, but for Louis' reign (s.a. 819, p. 195). For further references in the annals to law and justice after Charlemagne's death, see Nelson, "Kings with Justice," pp. 807–8.

considered such information of sufficient interest and import that they chose to include it in their annals.¹³⁷

The example of law given here could be replicated with other topics, such as the presentation of Saxon hostages in the minor annals.¹³⁸ Usually less constrained by royal propaganda, the minor annals are closer to an independent political voice. As such, they are essential, not just for the ways in which they provide new evidence about specific issues, but for our understanding of the general state of political knowledge in the realm. The picture derived from the minor annals is of high awareness of events on an empire-wide scale, interest in these events, and varying perspectives on them. The authors of minor annals may have based themselves on the Royal Frankish Annals, but not slavishly: They borrowed from that history, other sources, the events they participated in, and the stories they heard. Such techniques demonstrate that they are sophisticated enough for us to take them seriously as history.¹³⁹ As evidence for the diffusion of ideas from the center, the annals are a sign both of the breadth of the diffusion and its liveliness. The mere fact that we can reasonably speak of an independent political voice in the Carolingian period is testimony to the sophistication of political life, on the part of both ruler and ruled. It also underlines for us the nature of Carolingian political culture. The profusion of local annals indicates interest in political life among many communities in the empire. There are good grounds for seeing much of that interest provoked by the court, in the form of histories that can serve as models, other texts like capitularies that encourage local participation in Carolingian governance, and admonitions to be cognizant of political realities. Yet these annals are not simply royally provoked; they are also independent. Their authors react to and borrow from royal texts, while maintaining a local identity. In Charlemagne's empire, the king and his concerns dominated. But this royal dominance was an overarching structure that reshaped, but did not drown out, local concerns. The evidence of the minor annals thus reveals a political world that remained fiercely regional, while still pivoting around imperial structures.

¹³⁷ The Salzburg annals may have gotten their information via the mediation of Arn, who was indeed closely tied to Charlemagne. But these annals were nonetheless Bavarian productions, not court texts, and thus do indicate diffusion of knowledge. See also Innes, "Charlemagne, Justice and Written Law," pp. 159, 180–5, on Arn and legal work in the early 800s.

¹³⁸ See McKitterick, *Perceptions of the Past*, chapter 3 for some similar comments from a different perspective.

¹³⁹ See also Corradini, "Zeiträume-Schiffräume."

The special roles of Italian bishops

Another example of the balance between local and central power emerges from differences in how key agents like bishops functioned in various regions, and what the king did to shape such differences. Bishops were of critical importance in the Carolingian realm.¹⁴⁰ While the Carolingian dependence on their bishops never extended to the point of constituting a *Reichskirche* along the lines of the Ottonian system in which bishops dominated administrative roles, bishops were still key players in virtually every area of Frankish life.¹⁴¹ Bishops obviously participated in the implementation of the Carolingian religious reform program.¹⁴² They also figured prominently in the administration of the empire, its cultural life, its military endeavors, and its artistic development.¹⁴³ Despite the attention the church as a whole has garnered in scholarship on the Carolingians, many issues about Charlemagne and his bishops await analysis. In particular, in the second half of his reign Charlemagne began filling episcopal seats he had left vacant for some time, thus at least chronologically linking the appointment of new bishops to the governmental endeavors of the latter half of the reign.¹⁴⁴ The details of this process are worthy of further examination. However, our focus here is one specific aspect of Charlemagne's relationship with the episcopate, namely, his relations with Italian bishops.

Charlemagne's interaction with Frankish bishops differed from his interaction with Italian ones; these differences are illuminating. Unlike the secular administrative system, which at the time of the conquest varied significantly between Italy and Francia, the church was arranged on similar lines in both places. Thus, the fact that we can see substantive

¹⁴⁰ K.F. Werner, "Missus-marchio-comes," pp. 197–204 (pp. 114–21 in the reprint). The best recent study of Carolingian bishops is Patzold, *Episcopus*, although he argues (convincingly) that the key changes in the conception of the episcopate postdate the reign of Charlemagne.

¹⁴¹ Although some aspects of episcopal involvement in political life made people nervous; see Chapter 1, pp. 54–63. On the Ottonian situation: Althoff, *Die Ottonen*, pp. 234–9. For a revisionist view of the Ottonian "system," see Reuter, "The 'Imperial Church System'."

¹⁴² See, for example, McKitterick, *The Frankish Church*, chapter 2.

¹⁴³ Administration: K.F. Werner, "Missus-marchio-comes," pp. 191–7 (pp. 108–14 in the reprint); cultural life: For instance, see the contributions made to Carolingian political thought by bishops; surveyed, for example, in Anton, "Zum politischen Konzept"; on war: Prinz, "King, Clergy and War," especially pp. 315–18, and, more fully, his *Klerus und Krieg*; on artistic development: See, for example, the bishops who were court poets: Survey of the origins of poets in the introduction to Godman, *Poetry of the Carolingian Renaissance*, pp. 1–80.

¹⁴⁴ The pace of Charlemagne's episcopal appointments (and how directly he intervened) requires further attention, but a preliminary impression can be derived from Duchesne, *Fastes épiscopaux*.

divergences in how Charlemagne treated the two episcopal hierarchies is notable. That is not to say there were no pre-existing distinctions between bishoprics North and South of the Alps, and some of these will be addressed in the discussion in this section. While bishops fulfilled important functions everywhere Charlemagne ruled, the mechanics of the actual roles the bishops played in their dioceses varied, as did the relationship of the king and his court to bishops. Some of these specific details relate to personal connections. A figure such as Arn of Salzburg had personal ties to the king, and his relationship to the court and his local activities in Bavaria were all affected by these connections.¹⁴⁵ Nonetheless, some basic divergences in how bishops operated and how the king responded to them correlate with the area in which the bishops served. These differences between Frankish and Italian bishops, when looked at together, reflect a recognition by king and court that circumstances differed in Francia and Italy and thus that the approach taken to the episcopal hierarchy had to differ accordingly.

Charlemagne's favorite Italian bishop: Paulinus of Aquileia

The first point to be made is that none of the Italian bishops seems to have been in the inner circle of those closest to the king, with one very clear exception. Looking first at this exception might help us see why this was true. The exception is Paulinus of Aquileia.¹⁴⁶ We admittedly do not know a great deal about Paulinus, but he does seem to have been Italian in origin.¹⁴⁷ He spent years in the North with Charlemagne before his appointment to the see of Aquileia, during which period he is often considered a court poet. While he certainly was a scholar at Charlemagne's court and also wrote poetry, the possible conjunction of these activities is unclear.¹⁴⁸ Once he became

¹⁴⁵ See analysis of Arn in [Chapter 1](#), pp. 69–77.

¹⁴⁶ For an overview of his relationship with Charlemagne see Mor, "S. Paolino e Carlo Magno," in Fornasir (ed.), *Atti del convegno internazionale di studio su Paolino D'Aquileia*.

¹⁴⁷ A poem of Alcuin seems to suggest that Paulinus might have been from Aquileia (Alcuin, poem no. 17, in *Poetae* I, p. 239); the evidence is surveyed in Manitius, *Geschichte der lateinischen Literatur*, pp. 368–70.

¹⁴⁸ While Paulinus was a court scholar, his surviving poetry seems to stem from his time in Aquileia; see Godman, *Poetry of the Carolingian Renaissance*, pp. 26–7, although this picture is now being questioned; see overview in Everett, "Paulinus, the Carolingians and *Famosissima* Aquileia," pp. 121–8 (see also Everett's discussion of what Paulinus did that would have earned him a personal grant from the king, p. 119). Generally, on the misapprehensions associated with the idea of a court school see discussion in the [Introduction](#), pp. 30–1.

a bishop in the 780s,¹⁴⁹ his career is easier to trace. As bishop, he was involved in the religious affairs of the realm as a whole, episcopal work that can be encapsulated by two primary endeavors relevant for our discussion here.¹⁵⁰ The first is his role in preparing part of the dossier against Adoptionism associated with the Synod of Frankfurt, work that he later expanded.¹⁵¹ For the Synod, Paulinus wrote on behalf of the Italian bishops, defending the theological position of the Carolingians against the Visigothic heretics.¹⁵² His writings for this dossier are also famous for the reference they contain to Charlemagne as *rex et sacerdos*.¹⁵³ This is a striking political statement, albeit a unique one for the reign of Charlemagne.¹⁵⁴ Paulinus additionally served the king via his involvement in the preparations for the attack on the Avar kingdom, at least their second stage in 796.¹⁵⁵ Paulinus probably drew up the proceedings of a council meant to help lay the theological framework for the second invasion of the Avars in 796.¹⁵⁶ Unlike the

¹⁴⁹ He probably became bishop in 787, but the date could be argued. See review of the evidence in Everett, "Paulinus, the Carolingians and *Famosissima Aquileia*," pp. 119–20, note 13.

¹⁵⁰ There are studies of various other aspects of Paulinus' career in the collections Fornasir (ed.), *Atti del convegno internazionale di studio su Paolino D'Aquileia*, Chiesa (ed.), *Paolino d'Aquileia e il contributo*, and Piussi (ed.), *XII centenario del concilio di Cividale*.

¹⁵¹ Cavadini, *The Last Christology*, pp. 77, 82; Cuscito, "Paolino di Aquileia nelle sinodi," pp. 145–51. On his councils, see [Chapter 5](#), pp. 248–50.

¹⁵² *Libellus sacrosyllabus episcoporum Italiae* from *Concilium Franconofurtense*, in *Conc.* II, pp. 130–42. Note too the synod Paulinus ran to enforce the Carolingian position on Adoptionism on a local level and address other issues: *Concilium Foroïulense*, in *Conc.* II, no. 21, pp. 179–95. For discussion of this unusual council, see [Chapter 5](#), pp. 249–50 and comments of W. Hartmann, *Die Synoden*, pp. 117–19; Cuscito, "Paolino di Aquileia nelle sinodi," especially pp. 152–7. On the broader question of Paulinus' involvement in synods and in missionary work see Dolinar, "Paolino e gli Sloveni," especially pp. 136–7 on synods and pp. 137–9, 142 on missionary work (also emphasizing the role of the archdiocese of Salzburg in conversion efforts in the East); and finally see Everett, "Paulinus, the Carolingians and *Famosissima Aquileia*," pp. 134–7.

¹⁵³ The reference is from: *Libellus sacrosyllabus episcoporum Italiae*, in *Conc.* II, here p. 142: "Indulgeat miseraturis captivis, subveniat oppressis, dissolvat fasciculos deprimentes, sit consolatio viduarum, miserorum refrigerium, sit dominus et pater, sit rex et sacerdos, sit omnium Christianorum moderantissimus gubernator auxiliante domino nostro Iesu Christo, qui cum patre et Spiritu sancto vivit et regnat Deus in trinitate perfecta per omnia saecula saeculorum." On this phrase see Angenendt, "Rex et sacerdos," and Angenendt, "Karl der Grosse als 'Rex et Sacerdos'." The use of the attribution *rex et sacerdos* for Charlemagne has occasioned much discussion, and does strike me as an inappropriate one for the reign of Charlemagne.

¹⁵⁴ See also Bullough, *Alcuin*, p. 457, note 78. While many texts emphasize Charlemagne's care for the church, the specific expression is, to the best of my knowledge, not otherwise used for Charlemagne.

¹⁵⁵ See account in the Royal Frankish Annals s.a. 796, pp. 98–100.

¹⁵⁶ *Conventus episcoporum ad ripas Danubii*, in *Conc.* II, no. 20, pp. 172–6, here p. 176: "Paulinus licet indignus servorum Domini ultimus servus, valvicula sanctae et orthodoxae Aquilignensis ecclesiae sedis, horum venerabilium fratrem socius et auditor

Saxon conquest, where attempts at conversion were early on both brutal and unsuccessful, the attack on the Avars was conceived of from the start as a Christian mission.¹⁵⁷ Paulinus and his fellow bishops convened the council in concert with Pippin of Italy's invasion, and helped in providing spiritual succor to the military efforts.¹⁵⁸ Both projects, the conquest of the Avars with its attendant sense of Christian missionary zeal, and the assertion of Charlemagne's role as defender of the church via his championing of Christian orthodoxy at the Synod of Frankfurt, were important to Charlemagne.¹⁵⁹ Paulinus' involvement is a sign not only of his level of activity, but of his links to the highest circles of power, links reiterated in the letters Paulinus sent to the king, reporting on his activities in the king's service and offering advice on religious matters.¹⁶⁰ Like his friend Arn of Salzburg, Paulinus helped bring Carolingian power into a conquered region, in this case Italy, and to meld Italian expectations with Frankish ones.¹⁶¹ Also like Arn, Paulinus served as a *missus*, albeit less extensively than Arn.¹⁶² In contrast to Paulinus, none of the other Italian bishops seems to have been so closely involved in Charlemagne's undertakings.¹⁶³

This distance is evident not just in the absence of figures comparable to Paulinus, but in a few other places where we conspicuously do not see Italian bishops. One example is in Charlemagne's will, which was signed by those closest to the king.¹⁶⁴ Admittedly, such signatories would have been expected to help enforce the will to which they stood witness, and thus those invested in Francia were probably more logical choices.

fui." This could mean he composed the text or that we have his copy preserved, as the editor's introduction notes (p. 172). On the missionary work embedded in this council, see Reimitz, "Grenzen und Grenzüberschreitungen," pp. 156–62.

¹⁵⁷ See the complaints and concerns about Saxons and Avars in the letters of Alcuin: nos. 107 (pp. 153–4), 110 (pp. 157–9), 111 (pp. 159–62), 113 (pp. 163–6). In addition to the overview of Deér cited in Note 159, see Charlemagne's letter to Fastrada asking for litanies in preparation for the attack in 791 (in *Epistolae variorum*, here no. 20, pp. 528–9) and the Royal Frankish Annals s.a. 791, p. 88. Paulinus' council was held at the start of a second stage of attacks in 796, but was still part of the presentation of the war as a holy one that began in 791.

¹⁵⁸ *Conventus episcoporum ad ripas Danubii*, in *Conc.* II, no. 20, p. 172, lines 32–3 and p. 173, lines 1–7.

¹⁵⁹ Deér, "Karl der Grosse und der Untergang," pp. 726–31, especially p. 729 on missionary zeal.

¹⁶⁰ *Epistolae variorum*, nos. 15, 17, 18a, 18c, pp. 517–20, 523–5, 525, 527, respectively.

¹⁶¹ I draw here in particular on Everett, "Paulinus of Aquileia's *Sponsio episcoporum*."

¹⁶² Paulinus' service as a *missus*, alongside Arn and others, is referenced in a later case: *I Placiti*, ed. Manaresi, no. 25, pp. 78–80, here p. 79.

¹⁶³ Though note too that even Paulinus, while a loyal servant of the king, did not entirely parallel his Frankish fellows in all ways; see Everett, "Paulinus, the Carolingians and *Famosissima Aquileia*," pp. 150–3.

¹⁶⁴ The will is edited as Einhard, *Vita Karoli*, c. 33, pp. 37–41; on the signers: K. Brunner, *Oppositionelle Gruppen*, pp. 69–83.

They were also more likely to have been present when the will was signed and had the advantage of being closer to Aachen when Charlemagne died. Indeed most signatures on the will belong to Franks,¹⁶⁵ but the signatories also included the Anglo-Saxon Fridugis, who was abbot of Saint-Martin, Tours.¹⁶⁶ Another exception to Frankish signers of the will is Arn of Salzburg, the Bavarian archbishop who we have already met many times playing a key role in imperial affairs.¹⁶⁷ Furthermore, Charlemagne was receptive to using foreigners in a variety of ways.¹⁶⁸ But in the case of those who signed the will, no Italians were chosen.¹⁶⁹ This is of course not to imply that Charlemagne did not have close relations with some of the Italian bishops. Odilbert of Milan, for instance, had significant links with the king.¹⁷⁰ Other bishops gradually become more active in a Carolingian context, at least as this activity is reflected in the sources. One example is Jacob of Lucca, who figures prominently in several important judicial records involving royal agents toward the end of Charlemagne's reign.¹⁷¹ Another example is Archbishop Thomas of Milan, who baptized Charlemagne's daughter Gisela in 781.¹⁷² The king also had close ties with other Italians who were not bishops.¹⁷³ And one might well suspect that had Paulinus been alive in 811 when the will was drawn up, he too would have signed the will.

¹⁶⁵ See overview of the signatories in K. Brunner, *Oppositionelle Gruppen*, pp. 69–83. And on the importance of the document, Innes, “Charlemagne's Will.”

¹⁶⁶ Manitius, *Geschichte der lateinischen Literatur*, pp. 460–1; K. Brunner, *Oppositionelle Gruppen*, pp. 76–7.

¹⁶⁷ K. Brunner, *Oppositionelle Gruppen*, p. 74 and see discussion of Arn in [Chapter 1](#), pp. 69–77.

¹⁶⁸ See discussion in [Chapter 5](#), pp. 289–90.

¹⁶⁹ Not all the signers of the will can be securely identified, but there is no one who seems to be clearly Italian; see K. Brunner, *Oppositionelle Gruppen*, pp. 69–83 for details of each signer and what is known of their careers and origins.

¹⁷⁰ Odilbert replied to the king's circular letter on baptism, on which see the overview in Keefe, “An Unknown Response”; and on Odilbert's response, Wiegand, *Erzbischof of Odilbert*. See now for Charlemagne's circular letter, Keefe, *Water and the Word*, vol. 2, text 14, pp. 261–3. In one manuscript, Odilbert's letter in response (also ed. *Capit.* I, no. 126, pp. 247–8) is attached to an earlier text on baptism (edited in Keefe, *Water and the Word*, vol. 2, text 1, pp. 154–70). However, the connections between Odilbert's letter and the earlier text are not entirely clear; see Keefe, *Water and the Word*, vol. 1, pp. 74–5, 78. Wiegand, *Erzbischof Odilbert* edits the royal letter, Odilbert's reply, and the earlier treatise (pp. 23–37).

¹⁷¹ *I Placiti*, ed. Manaresi, no. 16, pp. 45–8 (ChLA 72, no. 24), and no. 26, pp. 81–4 (ChLA 73, no. 50), and see further discussion in this section.

¹⁷² Royal Frankish Annals s.a. 781, p. 56.

¹⁷³ For example, Fardulf, who received the abbey of Saint-Denis as a reward for alerting the king to the revolt of Pippin the Hunchback; revision of the Royal Frankish Annals s.a. 792, pp. 91–3.

But the lack of Italian bishops with personal ties of the highest order to the king is still noticeable.

The greater distance between king and episcopate in Italy is also evident in the promulgation of bishops' capitularies.¹⁷⁴ These texts were a key component of the Frankish reform program.¹⁷⁵ Many of them are anonymous and difficult to date, but judging from the recent *Monumenta Germaniae Historica* edition and a new study focused on this genre of texts, Charlemagne's bishops issued numerous such capitularies.¹⁷⁶ Some of these texts present problems of interpretation, but we can

¹⁷⁴ See survey of this genre of text in McKitterick, *The Frankish Church*, pp. 45–79; Brommer, “*Capitula Episcoporum*,” especially pp. 10–13, 14–21; de Clercq, *La législation religieuse*, pp. 259–92. The key study is now van Rhijn, *Shepherds of the Lord*.

¹⁷⁵ See, for example, the justification offered by Theodulf of Orléans in his first episcopal capitulary, *CEP* I, pp. 103–42, here c. 1, pp. 104–5: “Veraciter nosse debetis et semper meminisse, quia nos, quibus regendarum animarum cura commissa est, pro his, qui nostra negligentia pereunt, rationem reddituri sumus, pro his vero, quos verbis et exemplis lucrati fuerimus, praemium aeternae vitae percipiemus. Nobis enim a domino dictum est: Vos estis sal terrae. Quod si populus fidelis cibus est dei, eiusdem cibi condimentum nos sumus. Scitote vestrum gradum nostro gradui secundum et paene coniunctum esse. Sicut enim episcopi apostolorum in ecclesia, ita nimirum presbyteri ceterorum discipulorum domini vicem tenent. Et illi tenent gradum summi pontificis Aaron, isti vero filiorum eius. Unde oportet vos semper memores esse tantae dignitatis, memores vestrae consecrationis, memores sacrae, quam in manibus suscepistis, unctionis, ut nec ab eadem dignitate degeneretis nec vestram consecrationem irritam faciatis nec manus sacro unguine delibutas peccando polluatis, sed cordis et corporis munditiam conservantes, plebibus exemplum bene vivendi praebentes, his, quibus praeestis, ducatum ad caelestia regna praebatis.” The themes (for example, rendering account, the teaching role of the bishop, ecclesiastical order and so on) are those of the *Admonitio generalis*, but the language is Theodulf's.

¹⁷⁶ The possible texts issued during the reign of Charlemagne are, all in *CEP*, from volume 1: Three capitularies of Ghaerbald of Liège (pp. 16–21, 26–32, 37–42, respectively; the status of the first text is debated, but it is probably an episcopal capitulary and I will refer to it using Ghaerbald's name, for the sake of convenience; see full discussion of the text in van Rhijn, *Shepherds of the Lord*, pp. 219–28), one of Waltaud of Liège (pp. 45–9), two capitularies of Theodulf of Orléans (pp. 103–42 and 148–84; there is dispute over whether the second text is really Theodulf's and if it should count as an episcopal statute; the point is arguable but I will include it here; see van Rhijn, *Shepherds of the Lord*, p. 103, who does not consider it an episcopal capitulary, for discussion and references), one of Haito of Basel (pp. 210–19); from volume 3, a *Capitula Corbeiensia* (pp. 11–15), a *Capitula Parisiensia* (pp. 25–35), from Mainz *Capitula Moguntiacensia* (pp. 179–80), and from Bavaria *Capitula Bavarica* (pp. 194–8), *Capitula Frisingensia prima* (pp. 204–5), *Capitula Frisingensia secunda* (pp. 210–11), *Interrogationes examinationis* (pp. 214–15), *Capitulum Frisingense* (p. 232). A text of Arn of Salzburg edited with the council records in the MGH has some features in common with this genre of text: *Arnonis instructio pastoralis*, in council no. 22, *Concilium Rispacense*, pp. 196–201 in *Conc.* II; it is also edited by Étaix, “Un manuel de pastorale,” pp. 116–23, and see further discussion in Diesenberger, “Sammeln und Gestalten,” pp. 178–83, and my comments in Chapter 5, pp. 251–2. Van Rhijn, *Shepherds of the Lord*, pp. 32–3, 104, excludes the *Capitula Moguntiacensia*, *Capitula Frisingensia prima*, and *Capitula Frisingensia secunda*, all of which are admittedly difficult to date precisely. I follow the MGH

still use them as a sampling of episcopal legislation.¹⁷⁷ The earliest of these episcopal capitularies was issued, according to the latest research, in about 799; this is the first episcopal capitulary of Theodulf of Orléans.¹⁷⁸ The episcopal capitularies are efforts to legislate on a diocesan level the basic principles of the Carolingian reform program.¹⁷⁹ To wit, the episcopal capitularies require priests to know certain prayers, to preach to their flocks, to remain in their own churches, and so on.¹⁸⁰

editors, however, in considering these likely to date from the reign of Charlemagne. However, they may well not all be episcopal capitularies (see Note 177).

¹⁷⁷ There are several texts where it is unclear whether they are royal or episcopal capitularies, namely: The *Capitula Corbeiensia* in volume III of *CEP* is also edited as *Capitula in diocesana quidam synodo tractata*, no. 119, pp. 236–7 in the capitularies volume (all subsequent references in this form, title in episcopal capitulary volume, followed by title, number, and page number in the royal capitulary volume); the *Capitula Frisingensia prima* edited with the Bavarian texts in volume 3 is edited as *Quae a presbyteris discenda sint*, no. 117, p. 235 in the capitulary volume; the *Interrogationes examinationis* similarly edited with the Bavarian texts is also edited as no. 116, 234–5. The *Capitula Frisingensia secunda* in volume three with the Bavarian texts is an excerpt of the royal capitulary, *Capitula de examinandis ecclesiasticis*, no. 38, pp. 109–11. The Arn text I noted here is not traditionally analyzed alongside the episcopal capitularies (compare Étaix, “Un manuel de pastorale,” pp. 110, 115–16 and Note 176). Finally, there are dating issues, with many of the texts, especially the anonymous ones, being difficult to date precisely (including the three texts van Rhijn excludes from consideration). Judging from the dating analyses in the MGH edition, the *Capitula Corbeiensia* and the *Capitulum Frisingense* may well postdate Charlemagne's reign. There is also some debate over the dating of Waltaud's capitulary. Dierkens has argued that this text dates from 825, but as the problem is not conclusively settled, I will include it here (see Dierkens, “La Christianisation”); this is also the dating accepted by van Rhijn. See van Rhijn, *Shepherds of the Lord*, pp. 32–3, 104 for the texts firmly identifiable as episcopal capitularies in the reign of Charlemagne.

¹⁷⁸ Cautious discussion of dating in *CEP* I, pp. 73–5. See also van Rhijn, *Shepherds of the Lord*, pp. 34–5, on the earliest texts.

¹⁷⁹ McKitterick, *The Frankish Church*, p. 45.

¹⁸⁰ Know certain prayers: Hatto of Basel, *CEP* I, c. 2, p. 210: “Secundo iubendum, ut oratio dominica, in qua omnia necessaria humanae vitae comprehenduntur, et symbolum apostolorum, in quo fides catholica ex integro comprehenditur, ab omnibus discatur tam latine quam barbarice, ut, quod ore profitentur, corde credatur et intellegatur.”; preach: Theodulf of Orléans, first capitulary, *CEP* I, c. 28, pp. 125–6: “Hortamur vos paratos esse ad docendas plebes. Qui scriptura scit, praedicet scripturas; qui vero nescit, saltem hoc, quod notissimum est, plebibus dicat: Ut declinant a malo et faciant bonum, inquirant pacem et sequantur eam, quia oculi domini super iustos et aures eius ad preces eorum; vultus autem domini super facientes mala, ut perdat de terra memoriam eorum. Nullus ergo se excusare poterit, quod non habeat linguam, unde possit aliquem aedificare. Mox enim ut quemlibet errantem viderit, prout potest et valet, aut arguendo aut obsecrando aut increpando ab errore retrahat et ad peragendum bonum opus hortetur. Cum vero domino opitulante ad synodum in unum convenerimus, sciat nobis unusquisque dicere, quantum domino adiuvante laboraverit aut quem fructum acquisierit. Et si quis forte nostro indiget adiutorio, nos cum caritate admoneat, et nos cum caritate nihilominus ei pro viribus adiutorium ferre non differemus.”; remain in their own church: Ghaerbald of Liège's first capitulary, *CEP* I, c. 13, p. 19: “Ut nullus presbyter a sede propria sanctae ecclesiae, sub cuius

The texts vary in length and sophistication, but their basic content derived from the reform program as set out in the *Admonitio generalis*.¹⁸¹ What these texts do then is try to implement and enforce on a local level the religious reforms the king mandated for the entire realm.¹⁸²

Local implementation via episcopal capitularies furthered Charlemagne's efforts at religious reform in several ways. First, the promulgation of such texts was an essential component in actually getting things done locally, by having these principles asserted and ideally followed up locally.¹⁸³ Second, these texts also served as a way station in the process of the episcopate internalizing the royally directed reform program.¹⁸⁴ The content of all of the episcopal capitularies follows royal legislation, more or less closely, and it all postdates the first efforts at implementing this program on the part of the court.¹⁸⁵ While the bishops were not yet pursuing an independent agenda, these texts can be understood as part of the transition from a royally directed reform to an episcopally directed reform.¹⁸⁶ In the case of the episcopal capitularies of Ghaerbald, the ingenious detective work of Eckhardt illuminates the links between royal reform and local implementation. Eckhardt's analysis of a twelfth-century manuscript uncovers the collection of texts Ghaerbald compiled while fulfilling the king's commands to enforce reform and thus allows us to see some of the connections between the king and local religious reform.¹⁸⁷ For most of the other episcopal capitularies we admittedly do not have such direct evidence about royal orders and local

titulo ordinatus fuit, admonitionis causa ad alienam pergit ecclesiam, sed in eadem devotus usque ad vitae permaneat exitum."

¹⁸¹ Compare the passage from Theodulf cited in Note 180 to Waltaud of Liège, *CEP* I, c. 6, p. 46: "Evangelium, cur legitur vel quid interpretatur vel quomodo unusquisque presbiter intellegit." On borrowing from the *Admonitio generalis*, see, for example, McKitterick, *The Frankish Church*, p. 53, on Theodulf. Van Rhijn argues that the episcopal capitularies emerge not just from the prompt of the *Admonitio generalis*, but from a complex of circumstances surrounding the priesthood (*Shepherds of the Lord*, pp. 37–48). While this is certainly true, the *Admonitio generalis* is still a clear impetus behind these texts.

¹⁸² For example, de Clercq, *La législation religieuse*, pp. 279–80.

¹⁸³ See, for example, the conclusion to Ghaerbald of Liège's second capitulary, *CEP* I, p. 32.

¹⁸⁴ De Jong, "Charlemagne's Church," pp. 122–3.

¹⁸⁵ The *Admonitio generalis* was issued in 789 and Theodulf's first capitulary around 799. Thus, there is a gap of approximately a decade between the elaboration of the royal reform program and efforts to implement it locally via episcopal capitularies.

¹⁸⁶ McKitterick, *The Frankish Church*, p. 12.

¹⁸⁷ Eckhardt, *Die Kapitulariensammlung*, especially pp. 49–59. The chronology of royal command and response is not entirely clear; Eckhardt argues that the first episcopal capitulary was written before the royal letter of command (*Die Kapitulariensammlung*, pp. 63–4 for an overview of his chronology), a view I question. In any case, the links between royal instruction and episcopal implementation are obvious in this situation, as the episcopal capitularies fulfill long-standing royal instructions about episcopal reform.

implementation.¹⁸⁸ But Ghaerbald was also not exceptional in his efforts to enforce royal orders. As we have seen, Arn of Salzburg undertook similar reform activities, which were presented as a fulfillment of royal commands (Chapter 1). The evidence of repeated demands for reform in the capitularies and actual examples of local efforts at reform, when placed next to explicit models like Ghaerbald, allow us to see how the court prompted local texts.¹⁸⁹ The third point is thus that while we cannot always connect the dots between royal order and local response, the bishops' capitularies as a group of texts reveal bishops espousing the royal reform program. In sum, the bishops' capitularies constitute a key component of the religious reform program by facilitating local implementation, enabling bishops to absorb the royally shaped religious reform program, and by revealing links, more or less directly, between royally mandated reform and local episcopal implementation.

We do not have any episcopal capitularies issued by Italian bishops, and it does not appear that any of the anonymous texts can be linked to Italy.¹⁹⁰ It is possible, of course, that texts have been lost. We cannot rule this out conclusively, but we do have episcopal capitularies from later in the Carolingian period produced in Italy, and we do have plenty of other texts produced by Italian bishops during Charlemagne's reign.¹⁹¹ While we may thus have lost some texts, it is unlikely that a large body of Italian materials have left no trace. Given the absence of a tradition of local councils in Italy, the lack of such texts is perhaps unsurprising.¹⁹² But it is still important for us to clarify

¹⁸⁸ Most of the episcopal capitularies either do not provide a justification for why they were issued or provide a very brief general comment (as in the *Capitula Corbiensia*, CEP III, preface, p. 11: "Ammonere vos cupimus, fratres et filii mei, ut ista pauca capitula, quae hic scripta sunt, intentius audiatis.")

¹⁸⁹ On Ghaerbald, in addition to Eckhardt as in Note 187, see also de Clercq, *La législation religieuse*, pp. 274–81; on royal orders, for example: *Capit.* I, no. 35, c. 28, p. 103: "Ut episcopi diligenter discutiant per suas parochias presbyteros, eorum fidem, baptisma et missarum celebrationes, et ut fidem rectam teneant et baptisma catholicum observent et missarum preces bene intelligant, et ut psalmi digne secundum modulationes versuum modulentur." See also overview of local efforts in de Clercq, *La législation religieuse*, pp. 250–92 and discussion of bishops implementing royal decrees in Patzold, "Die Bischöfe im karolingischen Staat," pp. 152–9.

¹⁹⁰ The anonymous texts are linked to West Francia, Lotharingia, and Bavaria, at least by their manuscript transmission, with full discussion in the MGH editions.

¹⁹¹ Later Italian episcopal capitularies: *Capitula Eporediensia* (pp. 238–42), capitulary of Atto of Vercelli (pp. 262–304), capitulary of Theodosius of Oria (pp. 311–16), and the *Capitula Casinensia* (pp. 321–30), all from CEP III. On other Italian texts from the reign of Charlemagne, see, for example, the letter from Sigwald of Aquileia reminding Charlemagne to respect ecclesiastical prerogatives; *Epistolae variorum*, no. 8, p. 505; and see Everett, "Paulinus, the Carolingians and *Famosissima Aquileia*," pp. 130–1, and pp. 230–4 on the episcopal structure of Italy.

¹⁹² I owe this observation to Chris Wickham. Compare Mike Heil, arguing for a more extensive Lombard synodal tradition: Heil, "Clerics, Courts, and Legal Culture,"

the ways in which the Italian episcopate did contribute to religious reform.¹⁹³ The absence of episcopal capitularies does not in the least mean that the Italian episcopate did not participate in the royal religious reform program.¹⁹⁴ As we have seen, the king always preferred to have more than one approach open to him, and this was no different for religious reform.¹⁹⁵ He sought to inculcate his reform program in many ways and Italian bishops contributed to numerous such reform efforts, including participating in church councils or offering treatises on baptism in response to royal requests.¹⁹⁶ But the Italian episcopate does not seem to have participated in some important aspects of episcopal behavior we see elsewhere in the empire. This contrasts sharply with another recently annexed region: Not only did the Bavarian bishops issue episcopal capitularies, they were responsible for a large percentage of such texts, such a large percentage as to be disproportionate for the size of Bavaria relative to the empire as a whole.¹⁹⁷ While Italian bishops were important in the realm in a variety of ways, they did not issue episcopal capitularies during Charlemagne's reign and they did not sign the king's will. These conspicuous gaps in episcopal activity in Italy suggest that Italian bishops remained separate from the king's inner circle of advisers, and that they pursued the reform program to which Charlemagne expected all bishops to contribute, but on their own terms.

Italian bishops and royal charters

The difference in how Italian bishops functioned in the empire is also reflected in the charters they received from the king.¹⁹⁸ The proportion of

pp. 165–73, 491–4 (and including Lombard bishops attending Roman synods). I would like to thank Mike Heil for sending me his dissertation.

¹⁹³ Compare Pokorny's explanation in *CEP* IV, p. 50, arguing that the lack of texts and the lack of transmission of Frankish episcopal capitularies in Italy were due to the fact that the church was in less need of reform and due to the (supposed) lack of a missatcal system.

¹⁹⁴ De Clercq's survey of royal legislation on reform for Italy does include several examples where we can see the participation of Italian bishops; de Clercq, *La législation religieuse*, pp. 218–20.

¹⁹⁵ There is a useful illustration of this point in Mayke de Jong's brief portrait of Leidrad of Lyons, in her "Charlemagne's Church," pp. 103–5.

¹⁹⁶ See [Note 170](#) on Odilbert.

¹⁹⁷ Of the fifteen possible episcopal capitularies from Charlemagne's reign listed in [Note 176](#), five are Bavarian. We should not unduly stress the precise numbers given the vagaries of text survival. The preponderance of Bavarian records surely reflects the survival of particular ecclesiastical archives. Nonetheless, we can use such survival rates as a rough guide, when combined with other evidence, for what was originally written in various regions of the Carolingian empire. See also discussion of the survival of ecclesiastical texts in Bavaria in [Chapter 5](#), pp. 254–6.

¹⁹⁸ Royal grants to all Italian recipients (not just bishops) are: DK nos. 80, 98, 99, 111, 112, 113, 125, 131 (ChLA 29, no. 883), 132, 133, 134, 135, 146, 147 (ChLA 29, no. 882), 150 (ChLA

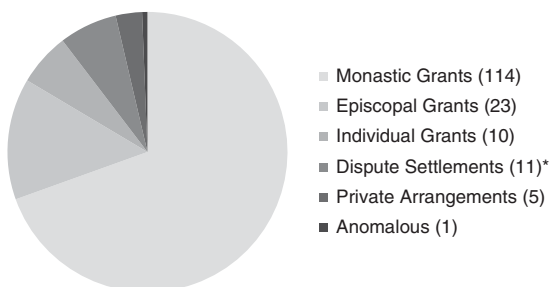
royal grants given to Italian recipients—bishoprics, monasteries, and individuals—is very large given the size of Italy within the empire.¹⁹⁹

The unusual patterns of grants for Italy generally are also evident specifically in grants to bishops. Comparing the overall giving of grants to bishops in Italy during the entirety of Charlemagne's reign there to grants to bishops in the North during the entirety of Charlemagne's reign shows more grants to bishops overall (percentage and number wise) in Italy.²⁰⁰ Certainly this might indicate that charters were better preserved in Italy

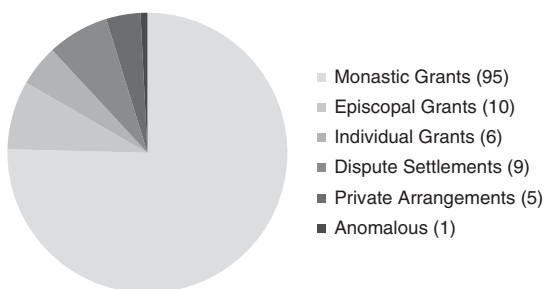
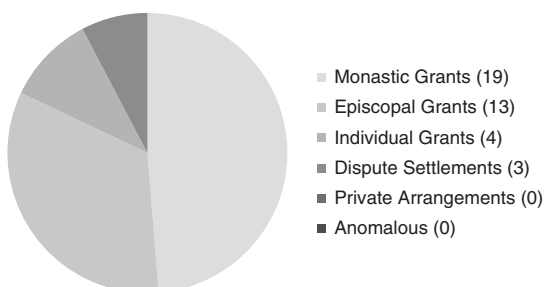
25, no. 797), 155, 156, 157, 158, 159, 160, 164, 171, 172, 174, 175, 177, 183 (ChLA 29, no. 884), 187, 196 (ChLA 90, nos. 1 and 2, which are both contemporary copies), 197 (ChLA 88, no. 28), 199, 200, 201, 202, 207 (ChLA 68, no. 4 is a contemporary copy), 208, 209, 211, 214. It is not entirely clear how to categorize some places. I have excluded the one diploma for Chur from this list (DK 78; ChLA 1, no. 3), and the two charters for Novalesa (DK nos. 74 and 125), although both places are in border regions. Brühl counts thirty-eight Italian charters: Brühl, *Studien zu den langobardischen Königsurkunden*, p. 14, note 71, but without giving a precise list. Some of the material in this section was developed in Prof. Michael McCormick's early medieval history seminar at Harvard University in spring, 2001; I am grateful to the participants for their suggestions. Aspects of this argument were also presented at the German Historical Institute Medieval History Seminar in October, 2002. I would like to thank the conveners, Profs. M. Borgolte, C. Bynum, J. Fried, and P. Geary, and the participants, especially the respondent, Kerstin Schulmeyer, for their comments. Compare this analysis with Gasparri, who claims that the main differences between Lombard and Carolingian charters in Italy are number and features like the immunity (Gasparri, "Italien in der Karolingerzeit," p. 65). I will argue here for far more significant differences in the charters. See also Susan Wood's comments on the Franks reacting to Italian monasteries: S. Wood, *The Proprietary Church*, pp. 238–9.

¹⁹⁹ There are 164 genuine charters of Charlemagne included in the MGH edition. If thirty-nine went to Italian recipients (even with some confusion over border areas) that means about 25 percent of Charlemagne's charters benefitted Italy. Given the size of Italy in the Carolingian realm as a whole this is a high percentage. Royal grants to Italian churches: Aquileia (DK nos. 174, 175, 214); Grado (DK nos. 200, 201); Comacchio (DK 132); Reggio (DK 133); Modena (DK 147; ChLA 29, no. 882); Arezzo (DK 150; ChLA 25, no. 797); Benevento (DK 156); Ceneda (DK 177); Como (DK 202); and Piacenza (DK 207; ChLA 68, no. 4); royal grants to Italian monasteries: Farfa (DK nos. 98, 99, 111, 146, 160, 171, 172, 199); Nonantola (DK nos. 113, 131 [ChLA 29, no. 883], 183 [ChLA 29, no. 884]); San Vincenzo al Volturno (DK nos. 157, 159); Bobbio (DK 80); Sesto (DK 134); San Salvatore/Santa Giulia, Brescia (DK 135); San Miniato, Florence (DK 155); Montecassino (DK 158); and San Ambrogio, Milan (DK 164); three Italian individuals received four grants from Charlemagne: Paulinus, later the patriarch of Aquileia (DK 112); the Lombard Aio (DK nos. 187, 209); and Manfred from Reggio (DK 208); three charters regulate dispute settlements involving Italian institutions: Dispute between the bishops of Arezzo and Siena (DK 196; ChLA 90, nos. 1 and 2 are both contemporary copies), between Bologna and Nonantola (DK 197; ChLA 88, no. 28), and between Aquileia and Salzburg (DK 211). The grant to Comacchio is technically given to both the bishop and people, but in light of the role played by the bishop, I will classify it as an episcopal grant.

²⁰⁰ If we separate the Italian charters from the other material, we are left with 126 Northern charters (one charter is both Northern and Italian), of which approximately 75 percent are monastic, 8 percent are episcopal, 5 percent are individual, 4 percent are private arrangements and 7 percent are dispute settlements. The Italian charters are listed in Note 199; this analysis thus counts all the remaining genuine charters in the MGH

All of Charlemagne's Charters (164)

* There are eleven dispute settlement records, one of which is counted later as both Frankish and Italian because one party was from the North, the other from Italy. Frankish here is used as a short-hand for all charters given North of the Alps.

Frankish Charters (126)**Italian Charters (39)**

Graph 4.1 Distribution of types of charters

edition. For Italy, thirteen of the thirty-nine charters, or about 33 percent, were given to episcopal recipients. See also charts in [Graph 4.1](#). In terms of pure number, Charlemagne gave ten charters to episcopal recipients North of the Alps and thirteen in Italy. The figures given here do not distinguish between monks and canons, but treat all grants to such communities as monastic charters.

than North of the Alps, but the overall distribution of manuscripts in Italy and Francia does not suggest that this factor can account for the entire difference. Nor do the differences in preservation between Italy and the North offer any clear explanation for the different patterns of giving. Looking at these Italian grants in more detail illuminates how Charlemagne treated Italy differently than Francia, and suggests some reasons why so many grants were given to bishops in Italy.

We can discover several phenomena at play influencing the giving of grants in Italy. First of all, we must admit that the urban structure of Italy survived the collapse of the Roman system in better shape than that of Gaul.²⁰¹ Cities were simply more important in Italy, and thus their bishops were correspondingly more important in the functioning of the region.²⁰² Furthermore, Italy had more cities and thus more bishops given its size.²⁰³ However, we must not overstate the importance of the number of Italian dioceses as the grants to bishops in Italy were certainly selective and not every bishop got one.²⁰⁴ For instance, there are extensive surviving records from Lucca, but no gift from Charlemagne. And indeed the grants given in Italy in general, not just to bishops, show

²⁰¹ See, for example, on Pavia: Bullough, "Urban Change"; and on the archaeology of Pavia, Hudson, *Archeologia urbana*, especially pp. 27–32 and 64–6. On Italian cities generally: Fumagalli, *Città e campagna*, pp. 39–48, and for archaeological overviews: Hodges and Hobley (eds.), *The Rebirth of Towns*, part II on Italy, pp. 16–42, and Christie, *From Constantine to Charlemagne*, especially pp. 137–48, 206–7 on churches in cities and pp. 183–280 for an overview of urban change, with further references. For general background on the importance of cities in Lombard society, see Harrison, *The Early State*.

²⁰² Wickham, *Early Medieval Italy*, pp. 55–6; some of these details change under the later Carolingians.

²⁰³ See list of early medieval bishoprics in R.E. Reynolds, "The Organisation, Law and Liturgy," pp. 592–4, 595–6, list compiled by McKitterick. There are multiple problems with how to count dioceses; see further [Note 204](#).

²⁰⁴ See Schmid on Frankish gifts to the most important Italian institutions: Schmid, "Zur Ablösung," p. 30 (p. 298 in the reprint). In addition to the note earlier, on the number of dioceses North and South of the Alps, see Schieffer, "Karl der Große und die Einsetzung," p. 464. Schieffer includes all Italian dioceses, thus adding in all the sub-urban sees, that is, those officially under papal jurisdiction, as well as all dioceses throughout Italy. McKitterick, Reynolds, and Schieffer are basically agreed on between 130 and 140 Northern dioceses. Schieffer counts about 150 Italian dioceses, but I think sixty-five is a better estimate of those sees more directly accessible to Charlemagne, although not all were technically in the *regnum* (and do note Charlemagne did give some gifts beyond the formal borders of the *regnum*). There are also multiple gaps in our knowledge about the history of many of these dioceses. The figures are thus no more than suggestive. Moreover, we should not make too much of arguments from silence, as Mor notes when he nonetheless tries to use grants to houses in Friuli as a measure of their involvement in the revolt of Hrodgaud: See Mor, "S. Paolino e Carlo Magno," in *Aquileia e le Venezie*, pp. 68–70. I would like to thank Chris Wickham for his advice on how to count the Italian dioceses.

several clear patterns. As in the North, the king gave few outright gifts of land in Italy, and several further gifts returning confiscated lands, preferring instead to give confirmations of previous grants or gifts of privileges.²⁰⁵ This is typical of Charlemagne's granting in general, and reflects a deep reluctance to distribute royal land. The care with which grants were given and the concern to limit alienation of royal land thus reflect a strategic apportioning of resources.

The careful husbanding of resources is typical generally of how Charlemagne approached issues of giving. However, the use of strategy in shaping the giving of charters in Italy goes far beyond an avoidance of direct alienation of land. The strategic approach to gift giving is clear first of all in the geography of the grants. The grants, of whatever kind—land or not—were often given in border areas of Carolingian control, and thus can clearly be linked to efforts to ensure Carolingian dominance

²⁰⁵ There are five outright concessions of land to Italian recipients in Charlemagne's charters: DK nos. 80, 112, 113, 155, and 214. Nos. 112 and 214 grant land confiscated during the conquest and no. 113 grants land that had belonged to the Lombard royal fisc. The king was clearly not giving away a large amount of royal land, particularly Frankish royal land. For the realm as a whole there are only thirty-five outright land grants (including these Italian grants), namely, DK nos.: 55 (ChLA 15, no. 608), 73, 80, 81, 82, 83 (ChLA 16, no. 627), 84 (ChLA 15, nos. 613 and 614), 92 (ChLA 15, no. 615), 106, 107 (ChLA 16, no. 620), 112, 113, 116 (ChLA 12, no. 539), 117, 121 (ChLA 12, no. 537), 126, 127, 139 (ChLA 12, no. 531), 140 (ChLA 12, no. 532), 144 (ChLA 12, no. 538), 145, 149, 153, 154, 155, 162, 165, 176 (ChLA 12, no. 541), 182, 184, 185, 203, 205, 212, 214. Charlemagne also confirmed two land grants by his relatives, which we might choose to classify as royal land grants, namely, 179 (also edited in d'Abadal I de Vinyals [ed.], *Catalunya Carolingia*, vol. II, document 1, pp. 310–11; given by Louis to a man who fought in Spain) and 190 (given by Gisela and confirmed by Charlemagne). Another debatable case is DK 90 (ChLA 12, no. 534), where Charlemagne formally hands over land previously held as a benefice by the recipient. He also returned confiscated lands in Italy: DK nos. 187, 208, 209. For the charters as a whole, land was regranted many times. In a number of instances, the king ordered that land held unjustly by monasteries be returned to them (DK nos. 77, 166 [ChLA 16, no. 631], 167). Several times the king gave land to a monastery that he had won in a court settlement (DK nos. 140 [ChLA 12, no. 532], 165, 180, 203; 180 is not included earlier as a land grant as it is not clear if the dispute had ever been settled). DK 205 is a gift of land that had been forfeited for incest. Charlemagne also confirmed and regranted land given improperly by one of the king's men (DK 198). Six times he returned lands confiscated from aristocrats who had been rehabilitated, particularly from Italy or Saxony (DK nos. 181 [ChLA 16, no. 637], 187, 208, 209, 213, 218). Many of the outright grants listed earlier did not involve alienating fiscal land: Charlemagne gave land that had belonged to the Lombard or Bavarian fisces (for instance, DK 81), or land that had been handed over to him by an aristocrat (such as DK 106), or land that had previously been held in benefice (for instance, DK 154). The line between outright grants and cases where the king hands over land that was contested can be thin. But the general point is clear: The king minimized giving away his own land. For the privileges given, see further [Note 243](#). The numbers given here can be compared with Nelson, "The Settings of the Gift," p. 119 and note 9, who provides somewhat different figures.

of the conquered territory, as was done in Farfa.²⁰⁶ These grants in border regions, however, do emphasize giving to monasteries.²⁰⁷ This geography is worth highlighting. Mapping Charlemagne's grants in Italy reveals an accumulation of grants around the Alpine passes, but also grants to institutions in other border regions, such as on the frontier with Benevento or to Farfa in the duchy of Spoleto.²⁰⁸ As we will see, the giving of grants to monasteries in Benevento may have been a short lived and not especially successful policy, but it does reveal the use of grants in order to attempt to increase support in border regions.²⁰⁹ The map also indicates the giving of grants along key travel routes, such as Bobbio in the Apennines. In many ways, the grants given in Italy mark out the key locations in terms of both strategic importance and travel routes (see [Map 2](#)).

The strategy behind gift giving is also evident in the timing of grants to Italian recipients. The grants cluster in particular periods, with many given in the aftermath of the conquest, logically enough, but also during Charlemagne's subsequent trips to Italy, again logically enough.²¹⁰ Even

²⁰⁶ There is also a useful map, including lost and falsified grants, in Schmid, "Zur Ablösung," between pp. 16 and 17 (p. 285 in the reprint). One example of geographically significant grants is the group of grants given to Farfa: DK nos. 98, 99, 111, 146, 160, 171, 172, 199. On the unusual Farfa archive see Zielinski, *Studien zu den spoletinischen 'Privaturkunden'*, and on the importance of these charters generally Costambeys, *Power and Patronage*. The Farfa documents will be discussed further in [Chapter 5](#), pp. 270–1.

²⁰⁷ The Italian charters which might be considered border grants (broadly understood, so including both "foreign" borders and boundaries within the empire) are: Aquileia (DK nos. 174, 175, 214); Benevento (DK 156); Ceneda (DK 177); Como (DK 202); Farfa (DK nos. 98, 99, 111, 146, 160, 171, 172, 199); Grado (DK nos. 200, 201); Montecassino (DK 158); San Ambrogio, Milan (DK 164); San Vincenzo al Volturno (DK nos. 157, 159); Sesto (DK 134); and the dispute settled between Aquileia and Salzburg (DK 211). We might also consider the Novalesa charters in this context: DK nos. 74 (ChLA 27, no. 837), 125. This means more than half of the Italian grants can be considered border charters.

²⁰⁸ Charlemagne also gave land in strategic Italian locations to favored Frankish recipients: Nelson, "The Settings of the Gift," pp. 121–6.

²⁰⁹ See full discussion on p. 224.

²¹⁰ Seven grants fall into this category of conquest-linked gifts: DK 74 (ChLA 27, no. 837) from 773, DK 80 from 774, DK nos. 98 and 99 from 775, and DK nos. 111, 112, and 113 from 776. There are also conquest-related grants rewarding Frankish institutions for their support, for instance DK 81 to Saint-Martin, Tours. Another example is DK 83 (ChLA 16, no. 627) to Saint-Denis, and on the gifts to Saint-Denis in the wake of the invasion see also the interpretation of Stoclet, *Autour de Fulrad*, especially pp. 465–7. Grants from 781: DK nos. 132, 133, 134 (135 is undated, but probably falls into this category); grants from 787: DK nos. 156, 157, 158, 159 (again 155 should perhaps be added to this group); grants from 801: DK nos. 196 (ChLA 90, nos. 1 and 2), 197 (ChLA 88, no. 28). See the Royal Frankish Annals for all of these years on Charlemagne's presence in Italy, pp. 34–40, 42–4, 56, 72–6, 110–16, respectively. See also [Graph 4.2](#).

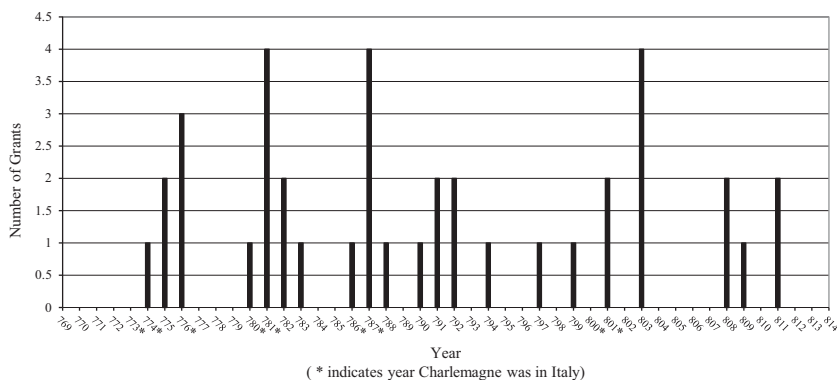


Map 2 Grants to Italian monasteries and churches

when Italian grants were given in Francia they were often given in groups, suggesting some “clumping” in the handling of Italian affairs, at least when it came to giving grants.²¹¹ A third context in which a careful strategy of gift giving emerges is in the specific choice of recipients. In addition to patronizing bishops and giving to institutions, especially monasteries, in border regions, the king used grants to co-opt certain particularly Lombard institutions. Perhaps the best example is Charlemagne’s cultivation of San Salvatore/Santa Giulia, Brescia. This foundation was a Lombard royal house monastery, and would become again a royal house monastery, this time under Carolingian patronage, later in the ninth century.²¹² Charlemagne’s grant to this institution can be interpreted as a way of absorbing a deeply Lombard place and

²¹¹ For example, DK nos. 171 and 172 for Farfa, both given in August, 791 in Regensburg.

²¹² H. Becher, “Das königliche Frauenkloster”; Bettelli Bergamaschi, “Monachesimo femminile”; Wemple, “S. Salvatore/S. Giulia”; Nelson, “Making a Difference,” pp. 173–4, 188–9. On the site itself, see Brogiolo, “Rilettura archeologica.” There are also overviews and photographs in the exhibition catalogue: Bertelli and Brogiolo (eds.), *Il futuro dei Longobardi*, vol. 1, section 9.



Graph 4.2 Chronological distribution of Italian grants

beginning to work it into a Carolingian orbit.²¹³ One context for such cultivation of monasteries is the flight of some prominent Lombards to the monasteries in the period of Frankish military intervention, emphasized in the research of Karl Schmid.²¹⁴ Charlemagne needed to take such places, which could easily have been hotbeds of revolt, and work them into his new Italy, regardless of if they were currently home to partisans of the previous dynasty. Giving charters to monasteries was one way to pursue this cultivation of monastic institutions and some possibly disgruntled Lombard aristocrats.

We must also admit that not all grants were shaped by a careful series of strategic choices by the king and his men. Some grants are much more likely to have been sought by recipients rather than carefully decided on by the king.²¹⁵ One example is the dispute between the dioceses of Siena and Arezzo judged in favor of the latter by Pope Leo, on the request of the king. The bishop of Arezzo brought his case to Charlemagne in 801,

²¹³ For the general process: Schmid, "Zur Ablösung," especially pp. 29–31 (pp. 297–9 in the reprint).

²¹⁴ Schmid, "Zur Ablösung." I am not convinced, however, of how much Lombard patronage before the invasion was done with an eye to Frankish intervention; see also the comments of Nelson, "Making a Difference," p. 173; de Jong and Erhart, "Monachesimo tra i Longobardi e i Carolingi," pp. 119–20. Moreover, Schmid's evidence relates to only a few cases; on the most famous of which see Schmid, "Anselm," on a prominent abbot who famously supported Charlemagne. I will suggest later that the occasional entrance of Lombards who, unlike Anselm, were not favorable to the Carolingians, into monasteries in the period of the conquest also had benefits for the Franks.

²¹⁵ On this point generally, see Mersiowsky, "Towards a Reappraisal," pp. 22–4.

in the wake of the attack on Leo, his subsequent restoration to the papal seat, and Charlemagne's imperial coronation.²¹⁶ The dispute was part of a long-running conflict between the two bishoprics, one which had already generated five surviving Lombard legal records.²¹⁷ Rather than deciding this case, perhaps because the king's men blanched at the sight of the bishop of Arezzo arriving with his stack of previous charters, Charlemagne asked Leo to solve it. This solution had the distinct advantage of underscoring the papal power the king was in the process of trying to restore.²¹⁸ However, the case likely got to Charlemagne not because he and his men were especially anxious to intervene in a long-standing conflict, but because the bishop of Arezzo wanted the new emperor's confirmation of his rights.²¹⁹ It is also unclear how much the king and his men were aware of the details of the convoluted dispute between Siena and Arezzo. The royal charter confirming Leo's judgment offers a selective retelling of the case; it refers only to one particular usurpation of one church and its dependencies during the pontificate of Hadrian I and not to the whole extended story of claim and counter-claim narrated in the Lombard records.²²⁰ Some charters given by Charlemagne in Italy have

²¹⁶ DK 196 (ChLA 90, nos. 1 and 2).

²¹⁷ In chronological order, the records are: CDL I, no. 17; CDL III.I, no. 12; CDL I, no. 19; CDL I, no. 20; CDL III.I, no. 13. There is also a papal confirmation of Arezzo's rights from 752: *Documenti per la storia*, ed. Pasqui, document no. 11, pp. 26–7. The document is *Regesta pontificum romanorum*, ed. Jaffé et al., no. 2307 (1766). The earliest evidence on the situation is from circa 650, see CDL I, no. 4. See discussion of this case in terms of the development of the inquest, in Chapter 5, pp. 268–9. For full discussion of this conflict, see Heil, "Clerics, Courts, and Legal Culture," chapter 1. I would like to thank Mike Heil for his advice on this case.

²¹⁸ J.R. Davis, "Charlemagne's Settlement of Disputes," pp. 164–6. See also Heil, "Clerics, Courts, and Legal Culture," pp. 184–5. For Heil's full discussion of this confirmation, see "Clerics, Courts, and Legal Culture," pp. 177–97. I cannot agree that Charlemagne was especially worried about settling an ecclesiastical dispute, which he did regularly, but Heil's treatment is especially helpful in explicating the Lombard context of the conflict.

²¹⁹ And it was Charlemagne who enforced the judgment: A record from a later stage in this (centuries-long) struggle claims the bishop of Arezzo was reinvested by Charlemagne's *missus* Angilbert after Pope Leo's judgment: *I placiti*, ed. Manaresi, no. 42, pp. 133–9, here p. 138; see also Heil, "Clerics, Courts, and Legal Culture," p. 185.

²²⁰ DK 196, p. 264, and ChLA 90, nos. 1 and 2; I cite ChLA 90, no. 1 here: "pervenit Aribertus, sancte Aretine urbis ecclesie venerabilis episcopus, in presencia nostra suggerendo ac proclamando super Andream, sancte Senensis urbis ecclesie venerabilem episcopum, dicens, quia diocesis ecclesie sue, quas a priscis temporibus predecessoris sui episcopi vel ipse tenuerat, tempore domni Hadriani quondam pape invasisset Hrotbertus, quondam episcopus predictae sancte Senensis ecclesie, et postmodum eas detenuisset Haeimo, quondam episcopus superscripte ecclesie, et usque nunc eas deteneret prefatus Andreas, episcopus antedictae Senensis ecclesie, id est monasterio Sancti Amsani, ubi ipse corpore requiescit, cum reliquiis ecclesiis." The church in question was also singled out in the papal bull and the saint involved was Siena's patron, which might also explain the wording of the royal charter. On the

much more to tell us about the strategic machinations of the recipients rather than the intentions of the king.

Furthermore, Charlemagne may have been strategic in his use of grants in Italy, but he did not necessarily pursue those strategies consistently. This is clearest in Charlemagne's grants to Beneventan institutions. Charlemagne's attention to Benevento was erratic at best. Geoff West has argued that Charlemagne made a concerted effort to patronize Beneventan institutions, which failed.²²¹ Yet, Charlemagne gave only four charters to Beneventan institutions, all during his visit to Italy in 787.²²² If this was a policy to win over the Beneventans by grants to religious foundations, it was short lived indeed.²²³ Both Charlemagne's actions and other sources suggest some ambivalence about involvement in Benevento.²²⁴ Moreover, Charlemagne tended to leave military maneuvers in Benevento in the hands of Pippin, king of Italy.²²⁵ Despite the dangers of counter-factual history, it seems a safe conclusion to argue that had Charlemagne staged a full-scale invasion, he could have conquered Benevento. Obviously, one can never prove the point, but Charlemagne's success in conquering Italy, his strategic abilities in general, and the greater wealth and manpower of the Franks all imply, to my mind, that a conquest of Benevento would have been possible. Where West sees a failed approach, I see too little attention to the area. Charlemagne tried to hold Benevento without putting much effort into it, perhaps because the Franks were not sure it was worth the trouble, and the attempt foundered. The use of charters to try to win over Beneventan institutions in 787 fits well with the strategic geography of grants in Italy, but, in this case, it was an approach soon abandoned.

presentation of the case in the papal bull, see Heil, "Clerics, Courts, and Legal Culture," pp. 73–82, and on the church in question, Heil, "Clerics, Courts, and Legal Culture," pp. 61–2. If Leo actually produced a formal written document settling the case, it does not survive, and thus we cannot compare the papal and Carolingian understandings of the conflict.

²²¹ G.V.B. West, "Charlemagne's Involvement."

²²² Namely, to Benevento (DK 156), Montecassino (DK 158), and San Vincenzo al Volturno (DK nos. 157, 159).

²²³ Jean-Marie Martin has suggested that Charlemagne's grants in Benevento were more useful to the king as a way of asserting his authority than to the recipients, for whom some of the Frankish expectations of the grants would have been irrelevant: J.-M. Martin, "Les actes des souverains," pp. 44–5, 51. That the grants were a way of broadcasting Frankish pretensions is probable, but Martin perhaps assumes it was entirely clear to the recipients that Charlemagne's control beyond the *regnum* would be limited. The situation within the Kingdom, as Martin notes, was very different.

²²⁴ For instance, see the warnings in the letters of Alcuin: Nos. 211 (pp 351–2), 218 (pp. 361–2), and 224 (pp. 367–8).

²²⁵ For instance, Royal Frankish Annals s.a. 801, p. 114.

There are also grants that must be interpreted as true acts of religious devotion (which of course need not be incompatible with a strategic political motive).²²⁶ For example, Charlemagne gave a charter to San Miniato in Florence, bestowing four houses on the institution in memory of his wife Hildegard.²²⁷ This is a virtually unprecedented grant among Charlemagne's charters, albeit not a large one. The personal tone and emphasis on Hildegard's memory are exceedingly unusual.²²⁸ The choice of recipient is also hard to explain: San Miniato had no obvious ties to the Carolingians, no clear strategic importance, no long-standing Lombard links (that we know of), and no immediately evident connection to Hildegard.²²⁹ Hildegard did have property in the Lombard kingdom, but the choice of San Miniato as a location for her commemoration still seems surprising.²³⁰ This charter appears to be what it states it was: A gift in memory of the king's late wife and mother of the sons marked out for succession.²³¹ The grant is more strongly personal than political, but it also underscores how atypical this personal emphasis is in Charlemagne's Italian charters.

In this focus on the strategic over the personal, we find one of the strongest contrasts between Charlemagne's grants in Italy and his grants North of the Alps. The grants in the North are of course sometimes strategic.²³² Charlemagne, if nothing else, was good at taking advantage

²²⁶ For a plea to take expressed religious sentiment of early medieval sources seriously, see de Jong, "Rethinking Early Medieval Christianity."

²²⁷ DK 155 (see also Böhmer, et al. [eds.], *Die Regesten des Kaiserreichs*, no. 281).

²²⁸ DK 155, p. 210: "Igitur noverit omnium vestrum magnitudo, eo quod nos ob amorem dei et sancti Miniatis damus in nostra elemosina et pro anima bone memorie dilectissime coniugis mee Ildegarde quondam ad basilicam prefati martiris Christi Miniatis sitam Florentie ... in nostra, ut diximus, elemosina et anima iam dicte coniugis mee in augmentis proficiat."

²²⁹ The early history of the institution is unclear, and the charter, while seemingly genuine, is transmitted only in a very late copy. See comments on the problems associated with the document in the edition of San Miniato's charters: *Le carte del monastero di S. Miniato al Monte*, ed. Mosiici, pp. 407–10. For some general background: Davidsohn, *Storia di Firenze*, pp. 118–19; Davidsohn, *Forschungen zur älteren Geschichte*, vol. 1, pp. 20, 25–6. I would like to thank Benjamin Brand for discussing this case with me.

²³⁰ *Capit.* I, no. 95, c. 14, p. 201: "De rebus quae Hildegardae reginae traditae fuerunt: volumus ut fiant descriptae per breves, et ipsae breves ad nos fiant adductae." There do seem to be some indications of a general practice of Carolingian queens holding property in Italy, which might provide a context for the grant, though it does not diminish its personal overtones. See Heidrich, "Von Plectrud zu Hildegard," pp. 10–14.

²³¹ On the marking out of the sons for succession, see [Chapter 8](#), pp. 415–23.

²³² The classic studies of the strategic use of charters are: Semmler, "Karl der Grosse und das fränkische Monchtum"; Semmler, "Pippin III. und die fränkischen Klöster." Semmler does also note the importance of the Italian gifts, as well as those for other border regions.

of circumstances as they arose. But despite frequent claims to the contrary, Charlemagne's grants in Francia itself were often more deeply shaped by piety than political strategy or economic necessity.²³³ Charlemagne's grants in the North focus on institutions in the Frankish heartlands, where his political control was strong.²³⁴ The grants also emphasize institutions that had long been Carolingian house monasteries, where the king had really no need to buy loyalty, as he already had it.²³⁵ In contrast, Charlemagne's giving in Italy suggests two main guiding strategic principles. The first was to use grants, especially grants to monasteries, to win over institutions in strategically located areas. The second was to

²³³ I will address this point more fully elsewhere. Geoff Koziol's recent argument that West Frankish charters from Charles the Bald onward represent important political moments, rather than being regular tools of administration, is a significant intervention in the study of Carolingian charters: Koziol, *The Politics of Memory and Identity*. For Charlemagne's charters there is also a claim to be made that they are not inevitably regular methods of administration, although on rather different terms than Koziol posits for his later West Frankish charters.

²³⁴ Evident, for example, in the recipients of his monastic charters. The twenty-nine institutions that received one grant only are: Corbie (DK 57), Saint-Aubin, Angers (DK 58), Saint-Étienne, Angers (DK 60), Saint-Maur des Fossés (DK 61=ChLA 15, no. 610), Saint-Mihiel de Marsoupe (DK 68), Saint-Médard, Soissons (DK 75), Gorze (DK 76), Bobbio (DK 80), Flavigny (DK 96), Saint-Marcel, Chalons (DK 123=ChLA 17, no. 651), Kievermunt (DK 124), Sesto (DK 134), San Salvatore/Santa Giulia, Brescia (DK 135), Fritzlar (DK 142), Saint-Arnulf, Metz (DK 149), Ansbach (DK 152), San Miniato, Florence (DK 155), Montecassino (DK 158), Saint-Victor, Marseilles (DK 163), San Ambrogio, Milan (DK 164), Kremsmünster (DK 169), Saint-Emmeram, Regensburg (DK 176=CLA 12, no. 541), Caunes (DK 178), Saint-Riquier/Centula (DK 182), Lagrasse (DK 189=ChLA 18, no. 667), Cormery (DK 192), Charroux (DK 194), Ebersheim (DK 210), Altaich (DK 212). The following institutions received two grants each: Saint-Bertin (DK nos. 59, 191), Saint-Calais (DK nos. 62, 128), Murbach (DK nos. 64 [ChLA 19, no. 672], 95 [ChLA 19, no. 673]), Novalesa (DK nos. 74 [ChLA 27, no. 837], 125), San Vincenzo al Volturno (DK nos. 157, 159), Aniane (DK nos. 173, 188). The following received three charters each: Saint-Germain des Prés (DK nos. 71 [ChLA 15, no. 612], 122 [ChLA 16, no. 625], 154), Nonantola (DK nos. 113, 131 [ChLA 29, no. 883], 183 [ChLA 29, no. 884]). The following received four charters each: Echternach (DK nos. 70, 184, 185, 186), Honau (DK nos. 77, 100, 119, 137). Saint-Martin, Tours received five charters (DK nos. 81, 97, 141, 167, 195). The following received six charters each: Lorsch (DK nos. 67, 72, 73, 82, 114, 151), Prüm (DK nos. 108, 109, 165, 180, 203, 205). Farfa received eight charters (DK nos. 98, 99, 111, 146, 160, 171, 172, 199). Fulda received nine charters (DK nos. 85, 86, 106, 116 [ChLA 12, no. 539], 127, 139 [ChLA 12, no. 531], 140 [ChLA 12, no. 532], 145, 215). Hersfeld received eleven charters (DK nos. 89 [ChLA 12, no. 533], 90 [ChLA 12, no. 534], 103 [ChLA 12, no. 535], 104 [ChLA 12, no. 536], 105, 121 [ChLA 12, no. 537], 126, 129, 144 [ChLA 12, no. 538], 153, 198). Saint-Denis received 14 charters (DK nos. 55 [ChLA 15, no. 608], 83 [ChLA 16, no. 627], 84 [ChLA 15, nos. 613 and 614], 87, 88 [ChLA 16, no. 621], 92 [ChLA 15, no. 615], 93, 94 [ChLA 15, nos. 616 and 617], 101 [ChLA 15, no. 618], 107 [ChLA 16, no. 620], 118 [ChLA 19, no. 679], 120 [ChLA 16, no. 626], 166 [ChLA 16, no. 631], 190).

²³⁵ See, for example, the grants to Saint-Denis or to Hersfeld, as in [Note 234](#).

use charters to cultivate bishops, who were prestigious figures in Italian cities, and who might thereby be encouraged to act, or rewarded for acting, as Charlemagne wished. These patterns of gift giving, summarized in the tables earlier, are specifically Italian. We should note one final distinguishing feature of the grants to Italy, and that is that the special interest in bishops also appeared North of the Alps, albeit to a lesser degree. Previous Frankish kings had not emphasized giving to bishoprics as much as Charlemagne did. His familiarity with the Italian situation, where bishops played such key roles in society, may have prompted Charlemagne to patronize bishops both in Italy and at home.²³⁶ The favoring of bishops in charters was particularly important in the specific circumstances of Carolingian Italy, but it was used in the North too, where the king also had the desire and need to favor certain bishops.

Yet, how do we explain the specific circumstances in Italy that led Charlemagne to give grants in this way? First, this pattern is particular to Charlemagne in Italy. That is, it does not work for the Northern regions, as I have suggested earlier, but it also does not work for Italy under Lombard rule. This is not at all how Desiderius treated his kingdom, because he did not depend on bishops as deeply as Charlemagne did.²³⁷ The fact that the king gave grants in this way, which was different from

²³⁶ Charlemagne's ten grants to episcopal recipients in the North are: Chur (DK 78= ChLA 1, no. 3), Metz (DK nos. 91 and 162), Paris (DK 193), Passau (DK 170), Salzburg (DK 168), Speyer (DK 143), Trier (DK nos. 66), and Utrecht (DK nos. 56 and 117). These grants were given in the following years: 772–4; 775 and 788; end of the eighth century; probably 791; 790; 782; 772; 769 and 777. This is not an argument about chronology, as many of the Frankish episcopal grants predate the Italian episcopal grants. Rather, I suggest that the importance of bishops in Italy helped stimulate patronage of bishops throughout the empire. There are some hints in the evidence that Charlemagne had sufficient interest in bishops from the start of his reign for the Italian circumstances to have an effect on him; see further p. 395. Transalpine bishoprics were also involved in several dispute settlements (namely, DK nos. 102 [ChLA 16, no. 619], 148, and 211) and private arrangements confirmed by the king (namely, DK nos. 79, 130 [ChLA 2, no. 157], 161, 206). Many of these episcopal charters are on borders, which is not typical of the Northern charters generally, but which may be a sign of adapting a focus on border charters from Italian grants, albeit the Italian border charters are more often monastic than episcopal.

²³⁷ The Lombard royal charters are edited in CDL III.I; the genuine charters of Desiderius (some given in the name of, or with, his son Adelchis) are nos. 31, 33, 35–44. These grants are all monastic. There is a good analysis of their content in Brühl, *Studien zu den langobardischen Königsurkunden*. The earlier Lombard royal charters provide a closer precedent for Charlemagne's emphasis on episcopal grants, but given that there are so few documents surviving, and that the point is stronger for the corpus as a whole rather than for individual kings, it is difficult to argue that Charlemagne had rediscovered earlier Italian practice. Moreover, it is impossible to demonstrate that Charlemagne would have known of the tradition of giving of the earliest Lombard rulers, as opposed to gifts of Desiderius, which were within the living memory of much of the Italian

both Italian and transalpine tradition, suggests that this approach was calibrated to the particular circumstances of Carolingian Italy and was not just a matter of blindly following precedent, Frankish or Italian. What factors then conditioned the giving of grants to Italian institutions, and in particular the bishoprics? As we have seen, the first factor is indeed the episcopal structure, and the importance of cities in Italy.²³⁸ Another factor is the need to secure Italian loyalty.²³⁹ In the North, the king focused his gifts on the Frankish heartlands, but in Italy he gave charters in border regions, and frequently in the years around the conquest.²⁴⁰ The clear implication is that the giving of charters to Italian recipients was one way of buying their loyalty, or to put it more positively, to integrate them into the Frankish system by illuminating some of the advantages of links with the Carolingians.²⁴¹ The charters represent at least a promise of royal protection of the rights of the institutions in question, although whether the Frankish court lived up to all such

population. In any case, Charlemagne's departure from recent Lombard tradition is clear. Earlier genuine Lombard charters are distributed as follows: Nos. 1, 2, 3 (ChLA 57, nos. 10a, 10b, 11), 5, 7, 14, 23, and 28 are monastic grants; nos. 8, 18, 19, 24, and 27 (ChLA 29, no. 867) are episcopal grants; nos. 4, 6, 12, 13, and 22 are dispute settlements; and no. 15 is an individual grant.

²³⁸ For example, Wickham, *Early Medieval Italy*, p. 55.

²³⁹ This is obviously not something royal documents announce baldly, but there are hints, especially in returns of land; see, for example, DK 208, p. 279: "Notum sit omnium fidelium nostorum magnitudini praesentium scilicet et futurorum, qualiter nos deo favente et sanctorum principum apostolorum merita intercedente regnum Langobardorum adquesivimus et pro credentiis aliquos Langobardos foras patriam in Francia ductos habuimus, quos in postmodum ad depraeationem dilecti filii nostri Pippini gloriosi regis ad patriam remisimus et eorum legitimam hereditatem, quam habuimus in fisco revocatam, reddere aliquibus iussimus." Schmid, "Zur Ablösung," p. 30 (p. 298 in the reprint), also emphasizes this point, but more in the context of monastic giving, although his own map, between pp. 16 and 17 (p. 285 in the reprint), illustrates well the emphasis on episcopal grants in Italy.

²⁴⁰ See, for example, the multiple grants to monasteries in the Carolingians' heartlands. The monasteries that received numerous charters from Charlemagne are: Echternach (DK nos. 70, 184, 185, 186), Honau (DK nos. 77, 100, 119, 137), Saint-Martin, Tours (DK nos. 81, 97, 141, 167, 195), Lorsch (DK nos. 67, 72, 73, 82, 114, 151), Prüm (DK nos. 108, 109, 165, 180, 203, 205), Fulda (DK nos. 85, 86, 106, 116 [ChLA 12, no. 539], 127, 139 [ChLA 12, no. 531], 140 [ChLA 12, no. 532], 145, 215), Hersfeld (DK nos. 89 [ChLA 12, no. 533], 90 [ChLA 12, no. 534], 103 [ChLA 12, no. 535], 104 [ChLA 12, no. 536], 105, 121 [ChLA 12, no. 537], 126, 129, 144 [ChLA 12, no. 538], 153, 198), Saint-Denis (DK nos. 55 [ChLA 15, no. 608], 83 [ChLA 16, no. 627], 84 [ChLA 15, nos. 613 and 614], 87, 88 [ChLA 16, no. 621], 92 [ChLA 15, no. 615], 93, 94 [ChLA 15, nos. 616 and 617], 101 [ChLA 15, no. 618], 107 [ChLA 16, no. 620], 118 [ChLA 19, no. 679], 120 [ChLA 16, no. 626], 166 [ChLA 16, no. 631], 190). On weighting of charters, see [Map 2](#) of the Italian grants and the chronological distribution of the Italian grants in [Graph 4.2](#).

²⁴¹ See, for example, DK 200 to Grado.

promises is a different matter.²⁴² Perhaps even more importantly, the charters advertise links between recipients and the strongest power in Europe. Local institutions clearly wanted these grants, which also allowed the king to assert the wide reach of his power. I have already suggested that the standard model of using grants to buy loyalty does not work for the Northern charters. In the Italian case, the model works better: We can indeed see the king giving grants in times and places where he would like to demonstrate loyalty and the reaches of his power, especially when present in Italy himself. We must add one proviso here, however: These grants are on the whole not grants of land, but grants of other rights and privileges, including privileges of immunity, which were an innovation in an Italian context.²⁴³ The giving of grants in Italy generally, and to bishops in particular, thus suggests an appreciation on the part of king and court that Italy was different and should be treated accordingly. This is important evidence for the intelligence and flexibility of Carolingian governance.

Charlemagne's impact on Italian bishops

We have just observed greater distance between Charlemagne and the Italian episcopate—in terms of signing the will, issuing episcopal capitularies, and personal links with the king—and we have seen a pattern of giving grants that does not simply treat Italy as another area of Charlemagne's expansive realm. What does this imply about the Italian episcopate and the royal view thereof? First, as was suggested earlier, we do have ample evidence of the activity and energy of the Italian episcopate. That is not really the problem. Why then were Charlemagne and his advisers less personally involved with the Italian bishops, despite

²⁴² Farfa, for instance, was not always able to insist on its privileges without challenge; see Costambeys, *Power and Patronage*.

²⁴³ Confirmations of property or other rights for Italian recipients: DK nos. 111, 131 (ChLA 29, no. 883), 134, 146, 150 (ChLA 25, no. 797), 156, 157, 158, 160, 164, 171, 183 (ChLA 29, no. 884), 199, 202, 209; grants of immunity: DK nos. 74 (ChLA 27, no. 837), 99, 125, 133, 135, 147 (ChLA 29, no. 882), 156, 157, 158, 175, 177, 200 (note that DK 175 is problematic, but Brühl thinks this aspect of the grant is genuine: Brühl, "Diplomatische Miscellen," p. 800); grants of other rights: DK nos. 98 (two kinds), 132, 157, 158, 159, 164, 172, 174 (two kinds, but the text is problematic), 201, 207 (two kinds; ChLA 68, no. 4), including: Freedom from tolls or other financial privileges (DK nos. 132, 201, 207 [ChLA 68, no. 4]); free election of the abbot (DK nos. 98, 157, 158, 164). See also for free election of a bishop: DK 174, but with reservations (Brühl thinks this aspect may be genuine, "Diplomatische Miscellen," p. 800); on returning peasants to servitude: DK 159. See also [Note 205](#) on land grants in Italy. On the use of the immunity in Italy, see overview in: Drew, "The Immunity in Carolingian Italy."

the many charters they received? A few answers present themselves. The first is the personal factor, always essential in the evaluation of Carolingian governance. The fact that fewer Italian bishops were personally close to the king is something of an accident, as some were, such as Paulinus, just not at all points.²⁴⁴ Charlemagne also spent less time in Italy and on the whole bishops were often appointed from their home regions.²⁴⁵ Thus, it may well be the case that the king had less occasion to form personal relations with Italian bishops.²⁴⁶ Such a factor can help explain the general lack of Italian bishops in the king's inner circle.

The second explanation for the different relations with Italian bishops concerns the challenges posed by the integration of Italy. Obviously, the revolt of 775–6 made abundantly clear to Charlemagne and his advisers that their control of Italy could not be taken for granted.²⁴⁷ Italy had to be integrated into the Frankish empire, and the process was complicated.²⁴⁸ The requirement of ensuring loyalty was, as we have seen, part of the explanation for the differing pattern of grants. However, the different status of Italy also expressed itself in a third way. That is, the king did need to win over his new realm. But he also needed to administer Italy. To that end, the primary challenges appear to have been largely questions of secular administration.²⁴⁹ We might note in this context the absence of any evidence for episcopal involvement in the revolt of Hrodgaud. This should not imply there were never difficulties with the church. For instance, early on, some prelates seem to have presented problems, such as the bishops of Lucca, Reggio, and Pisa who were, seemingly, deported to Francia briefly.²⁵⁰ These early tensions were felt throughout Italian society, including the

²⁴⁴ We also know of many other Italians who did enjoy close relations with the king, such as Peter of Pisa, and eventually the Lombard Aio, despite his early rebellion (on Aio see Krahwinkler, *Friaul im Frühmittelalter*, pp. 137–42; Hlawitschka, *Franken, Alemannen*, pp. 24, 113–14; on Peter, Manitius, *Geschichte der lateinischen Literatur*, pp. 452–6). But the fact that many Italian bishops were Italian may have made it less likely that the king would already have had a personal relationship with them.

²⁴⁵ Wickham, *Early Medieval Italy*, pp. 47, 55. Compare Hlawitschka, *Franken, Alemannen*, pp. 31–2, who emphasizes the installation of Franks in Italian sees; this did happen, but largely after Charlemagne's death. See also Note 246.

²⁴⁶ It seems Charlemagne only appointed a limited number of "foreign" bishops in Italy; see Schieffer, "Karl der Große und die Einsetzung," p. 461.

²⁴⁷ K. Brunner, *Oppositionelle Gruppen*, pp. 43–5; Krah, *Absetzungsverfahren*, pp. 13–15; Krahwinkler, *Friaul im Frühmittelalter*, pp. 119–43.

²⁴⁸ On the administrative integration see Hlawitschka, *Franken, Alemannen*, pp. 23–52; this gives a good sense of the issues and challenges involved in the integration of Italy generally.

²⁴⁹ See also Schmid, "Anselm," p. 114.

²⁵⁰ *Codex Carolinus*, letter 50, p. 570, and see further discussion on pp. 235–6.

church.²⁵¹ The entrance of some Lombard aristocrats into monasteries gave the king incentives to co-opt such monasteries, but he largely did manage to do so. Indeed, the occasional flight of defeated Lombards into monasteries was, in certain respects, an advantage for the Carolingians. Confining problematic people to monasteries was a favored Carolingian strategy for dealing with dissent.²⁵² The fact that certain Lombards made that choice for themselves was rather convenient for Charlemagne and his men. Moreover, as we saw earlier, Charlemagne's control was never absolute. The existence of some discontented Lombards is hardly to be wondered at, but their self-confinement to monasteries made it easier for the Franks to move into Italy.²⁵³ In sum, for the most part, the deepest signs of dissent and the most serious administrative challenges did not stem from the church, in particular the secular church.

The basic organization of the Italian church was already a model for the Frankish church, so the king felt less need to replace the Italian episcopate in the way that he tried to restructure gradually the Lombard system of dukes and gastalds. Most Italian bishops, except in some key sees, remained Lombard. The church simply was not an administrative challenge of the same order or a hotbed of dissent.²⁵⁴ Charlemagne made an effort to win support of, to interact with, and benefit from the wisdom of, the Italian episcopate. Yet, while these efforts did entail contact with Italian bishops, the very success of the efforts mitigated the need for further contact, at least in comparison with other Italians who required more encouragement to embrace Frankish rule. On the whole, the Italian episcopate did not warrant quite as intensive attention as other Italian entities.²⁵⁵ When the king and his Frankish advisers tried to sort out Italian affairs in the aftermath of the conquest, the episcopate was in many ways a help not a hindrance.²⁵⁶ Over time, Lombard bishops were

²⁵¹ An example is the dispute over the abbot of San Vincenzo al Volturno, on which see references and discussion in [Chapter 2](#), p. 108, [Note 107](#). While San Vincenzo was not in territory directly ruled by Charlemagne, the incident does illustrate well some of the conflict engendered by the arrival of Carolingian power in Italy. For an excellent overview of the tensions attendant on the conquest, see Gasparri, "Il passaggio dai Longobardi ai Carolingi."

²⁵² The key study is de Jong, "Monastic Prisoners or Opting Out?"

²⁵³ Although this phenomenon should not be overstated and some of those aristocrats in monasteries did favor the Franks; see [Note 214](#).

²⁵⁴ Compare Everett, "Paulinus, the Carolingians and *Famosissima Aquileia*," pp. 130–3 who emphasizes more the need to earn the support of the church because of its Lombard ties.

²⁵⁵ See also a similar argument in Delogu, "Lombard and Carolingian Italy," pp. 307–8 on the importance of bishops in integrating Italy into the Carolingian world.

²⁵⁶ See, for example, the role of the bishops in the religious reform via capitularies in Italy; while much of this happened after Charlemagne's death, its roots were deeper: Geiselhart, *Die Kapitulariengesetzgebung Lothars I.*, pp. 239–46, especially pp. 241–2.

encouraged to play political roles on the model of Frankish bishops, as we will see later, but this slow evolution did not depend on a structural shift in the nature of the Italian episcopate. The slow changes in the episcopate and its utility in helping with the transition perhaps paradoxically lessened its ties to Charlemagne. When dealing with Italy it was the troublemakers who presented the primary challenge, and the less problematic bishops were somewhat overlooked.²⁵⁷

A final feature of the charters to Italian bishops needs to be stressed, and that is that the charters were not simply *quid pro quo* grants. Charlemagne expected the loyalty of Italy: End of story. Bishops who did not get charters were not thereby excused from participating in the tasks Charlemagne expected of all bishops, and indeed of all religious institutions. What the Franks did was to select a group of recipients in strategic locations, like Farfa, or prestigious sees like Ravenna (probable recipient of a lost charter), or active bishops, like Aribert of Arezzo, who pestered a charter out of the king, or those who had been particularly active supporters of the king, like Paulinus.²⁵⁸ For the lucky few who got charters, further loyalty was encouraged, and both sides could publicize the connection. Those who did not get a charter might receive a prod to deeper cooperation with the Carolingians, in the hope of benefiting from future generosity. In trying to rule Italy, the Franks took the traditional tool of grant giving, and used it carefully to react to the circumstances on the ground and to the petitions of the recipients of charters.

We have examined multiple ways in which the Franks treated the Italian episcopate differently than the transalpine episcopate, and differently than the Italian episcopate had been treated under Lombard rule. But what was the ultimate impact of these changes? Even the Italian historians who usually argue for little Carolingian effect on Italy accept the idea that one demonstrable result of the Carolingian conquest was a transformation of Italian bishops into more politically active, Frankish-style bishops.²⁵⁹ This is certainly true as an evaluation of the long term consequences of Carolingian rule in Italy. However, our analysis of how bishops in Italy functioned during Charlemagne's reign reveals a

²⁵⁷ Compare Hlawitschka, *Franken, Alemannen*, for instance, pp. 32–42, who emphasizes more how Charlemagne and the later Carolingians changed personnel in Italian dioceses.

²⁵⁸ For the lost Ravenna grant, see Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs, deperdita*, no. 442, p. 865. Ravenna was more central to Charlemagne's Italy than it is given credit for being; for an important start on this subject, see Nelson, "Charlemagne and Ravenna." I would like to thank Jinty Nelson for sending me this paper.

²⁵⁹ The classic account of the impact of the Carolingians in Italy is Tabacco, *The Struggle for Power*, chapter 3. For an account emphasizing the effects on the church, see J. Fischer, *Königum, Adel und Kirche*.

somewhat different picture. Charlemagne did push the Italian bishops toward more Frankish behaviors, but he also allowed them to do certain things differently and patronized them in different ways than Northern bishops. Charlemagne insisted that bishops in Italy did basically what bishops in Francia did: They had to hear cases, supervise their dioceses, and participate in military service.²⁶⁰ The expectation of extensive judicial participation was in particular a new departure for the Italian episcopate, although it was not unheard of in Lombard Italy.²⁶¹ The military service may have been especially resented.²⁶² But even the expectation of contributions to religious reform were new, in that the bishops were expected to adhere to the outlines of the royal program as set out in the *Admonitio generalis*. Perhaps the most significant change is simply the amount of regulation the Franks directed toward Italian bishops.²⁶³ Even Paulinus, Charlemagne's favorite, may have worried about the consequences of being a Frankish-style bishop.²⁶⁴ However, none of these expectations entailed the frequent deposition of bishops or a radical shift in episcopal behavior. The changes emerged from the new context in which Italian bishops found themselves and their careful cultivation by the king.²⁶⁵ The end result was a growing similarity between transalpine and Italian bishops, but all we can perceive during the reign of Charlemagne are the seeds of this later development.

If the reign of Charlemagne saw the beginnings of the process of turning Italian bishops into more Frankish-style prelates, this was the

²⁶⁰ On justice, see [Note 261](#). For general supervision of dioceses, see, for example: *Capit.* I, no. 102, c. 1, p. 209; for fulfilling royal commands: *Capit.* I, no. 91, concluding paragraph, p. 193.

²⁶¹ On what the Carolingians expected of bishops, see Bougard, *La justice*, pp. 19–20, 139–40, 235–43. Heil's work demonstrates more extensive Lombard episcopal involvement in judicial matters than previous scholarship has allowed, but this was not equivalent to the ubiquitous Carolingian expectation of bishops as regular participants in all facets of justice (as Heil himself makes clear). See Heil, "Clerics, Courts, and Legal Culture," especially chapter 2.

²⁶² Which is indicated by the letter of Paulinus urging Charlemagne to allow bishops to remain free from secular affairs: Paulinus, letter 18a, in *Epistolae variorum*, p. 525. There may also be a similar implication in the fragmentary letter of Sigwald of Aquileia reminding Charlemagne to respect ecclesiastical prerogatives; *Epistolae variorum*, no. 8, p. 505.

²⁶³ Bertolini, "I vescovi."

²⁶⁴ See especially Paulinus, letter 18a, in *Epistolae variorum*, p. 525. Everett, "Paulinus of Aquileia's *Sponsio episcoporum*," pp. 183–4 is the best discussion of the idea that Paulinus had reservations about some Frankish expectations of bishops. Although, we must also note, as discussed earlier, that the Franks shared many of these concerns about secular participation of bishops.

²⁶⁵ Some differences may have emerged from divergent social constellations North and South of the Alps; for some thought-provoking observations on this issue, see Gasparri, "Recrutement social," pp. 158–9.

result of the insistence on them participating in the main facets of Carolingian reform. What did not happen, however, was the imposition of any grand plan to make Italy more like Francia. Charlemagne and his men exploited the resources they found on the ground, matched their available tools of rule to the circumstances they had to work with, and learned what they could from their new kingdom. Charlemagne's interactions with the Italian bishops may have tended in the long term to encourage more active political participation, but this was a matter of recruiting them to further political duties, not fundamentally and immediately revising the nature of the Italian episcopate.²⁶⁶ The ultimate message of the differences in how the king interacted with transalpine and Italian bishops is that Charlemagne and his men imposed on Italy in the sense of insisting on Italian participation in the main facets of Carolingian reform, but allowed the Italians to shape that participation in their own ways.

Charlemagne's relations with Italy were complicated, and we have looked here only at some aspects of the more limited issue of relations with the bishops.²⁶⁷ Even in terms of relations with bishops, the king interacted with bishops in other contexts, such as assemblies, not to mention the complexity of royal interactions with the papacy.²⁶⁸ But the aspects of royal ties to bishops we have studied indicate some distance of the Italian bishops from the king and a granting pattern particular to Italy, both of which help us see that Italy and its church were not in the same position as Francia and its church, or Bavaria and its church. The techniques and tools available to the king were not applied in the same way everywhere. The king and court were capable of regional differentiation, of adjusting their actions and approaches to react better to the situation on the ground, which varied from place to place. This does not mean that everything in Italy was different or that everything that was done in Italy was appropriate for the area and well thought out. However, the fact that a one-size-fits-all approach does not work for all the lands under one political authority is a lesson most polities, including modern states, have a hard time grasping. That Charlemagne and his

²⁶⁶ For some other discussions of this process see the works cited in the Notes immediately above; and Everett, "Paulinus, the Carolingians and *Famosissima Aquileia*," pp. 150–3.

²⁶⁷ The literature on Carolingian Italy tends to be focused on general works on the early medieval period (such as Tabacco, *The Struggle for Power*) or studies of specific points (such as Noble, *The Republic of St. Peter*); a full examination of Charlemagne in Italy is needed.

²⁶⁸ On assemblies, see p. 35. On relations with the papacy, the classic studies include: Angenendt, "Das geistliche Bündnis"; Classen, *Karl der Grosse*; Noble, *The Republic of St. Peter*. There is also a general account in Partner, *The Lands of St. Peter*, pp. 26–41.

court were able to modulate their governance regionally testifies to a structure and coherence underlying Charlemagne's political choices. Whether or not the king and his court had the intention of varying governance regionally, the surviving sources reveal a clear differentiation based on region, evidence at the least for an ability to take account of circumstance even if regional differentiation was not, in itself, a goal.

The foregoing analysis of Charlemagne's treatment of Italian bishops reveals the strength of the Carolingian "system." Italian bishops had to start operating in a radically different world and in relation to a very different sort of royal power.²⁶⁹ Yet, this Carolingian power structure was an overlay on pre-existing Italian realities that changed only slowly. Bishops in Italy were not a particular challenge to Charlemagne, but they were still key players. As long as they met the primary duties the Carolingians expected them to fulfill, they could proceed as they saw fit. The tendency of Charlemagne and his men to leave the details to local implementation is quite clear here. There is a strongly evident Carolingian world present in the Italian sources, but it emerges slowly.

We might encapsulate the changes that shaped the episcopate in Carolingian Italy by looking at the example of Lucca, the best documented Italian bishopric in this period.²⁷⁰ The bishop of Lucca at the time of the conquest, Peredeo, was one of the bishops sent to Francia in the wake of the conquest.²⁷¹ We know of this deportation primarily through a letter of Pope Hadrian asking the king to send back to Italy three bishops whom he had taken to Francia.²⁷² A Lucca charter that refers to the time when Peredeo was "in Francia in the service of the king" puts a positive spin on Peredeo's Frankish sojourn.²⁷³ Most

²⁶⁹ As did bishops in other conquered regions. For a study focused on Freising that asks some similar questions, see Esders and Mierau, "Die bairischen Eliten."

²⁷⁰ On the Lucca archive, see Andreolli, *Uomini nel medioevo*, pp. 9–10; Bougard, *La justice*, pp. 97–8; Santoro, "Osservazioni paleografiche"; Schwarzaiaer, "La società lucchese," pp. 175–80, and for general orientation: Osheim, "The Episcopal Archive." The charters from the reign of Charlemagne are edited in: *Memorie et documenti*, IV.I, ed. Bertini, and *Memorie e documenti*, V.II, ed. Barsocchini. Charters which survive in the original or in contemporary copies can be found in the relevant volumes of the ChLA.

²⁷¹ For an introduction to Peredeo and his career, see Bertini, *Peredeo*; Schwarzaiaer, *Lucca*, pp. 78–85.

²⁷² *Codex Carolinus*, letter 50, p. 570: "Sed et hoc nimis quesumus atque postulamus [vestram] benignitatem: ut episcopos illos, id est civitatis Pissinae seu Lucanae et Regio, ad proprias sedes adque ecclesias et plebes eis commissas absolvere iubeatis revertendum, quia ita, bone rex, excellentissime fili, animae tuae expedit, ut ipsi episcopi propriis sedibus restituantur omnesque Dei ecclesiae suis praesulibus ornatae consistent et cunctus Dei populus in magna laetitia vestris felicissimis temporibus degere valeat vobisque hoc respiciat at aeternam mercedem."

²⁷³ Bishop John confirms a man in a church because his succession was not originally confirmed by the bishop since Peredeo was in Francia: "pro eo quod tunc bone

scholars treat it as a forced visit, although the precise reasons why Peredeo was taken are unclear.²⁷⁴ By 777, Peredeo was back in Lucca and the rest of his episcopate proceeded seemingly without any interruption.²⁷⁵ The Lucca charters quickly and consistently date documents by the regnal years of the Carolingians.²⁷⁶ There is no evidence for Lucca as a hotbed of revolt,²⁷⁷ although this was partly due to Carolingian manipulation, namely, co-opting the Lombard duke Allo.²⁷⁸ However, Lucca remained isolated from major centers of Carolingian power: It received no charter from the king²⁷⁹ (a weighty observation given the survival rates of Lucca charters),²⁸⁰ and it was slow to use some characteristic tools of Carolingian Italy,²⁸¹ such as the judicial inquest we will examine in the [next chapter](#).²⁸² By the end of Charlemagne's reign, this situation was beginning to change. We start to see the bishop of Lucca more regularly hearing cases, a common Carolingian expectation of bishops.²⁸³ We see Lucca charters using more judicial features typical

memorie Peredeus episcopus decessor meus in Francia erat detentus in servitio domni regis." ChLA 37, no. 1085=*Memorie e documenti* V.II, ed. Barsocchini, doc. 189, p. 111; citation is from the ChLA.

²⁷⁴ Bertini, *Peredeo*, pp. 22–3, note 65; Schwarzmaier, *Lucca*, pp. 78–80, 166. For the suggestion that the wealth and status of the bishops had something to do with it, see Gasparri, "Recrutement social," p. 158.

²⁷⁵ Bertini, *Peredeo*, pp. 23–4; Schwarzmaier, *Lucca*, pp. 79–80.

²⁷⁶ Schwarzmaier, *Lucca*, p. 78.

²⁷⁷ On the political circumstances in Lucca, see Schwarzmaier, *Lucca*, pp. 78–9, 156–8, 166–72, 364–7.

²⁷⁸ Schwarzmaier, *Lucca*, pp. 166–7.

²⁷⁹ That we know of: Schwarzmaier, "La società lucchese," p. 178.

²⁸⁰ Schwarzmaier, *Lucca*, pp. 9–13.

²⁸¹ On slow adaptation from a different perspective, see Andreolli, *Uomini nel medioevo*, pp. 67–9.

²⁸² See [Chapter 5](#), pp. 260–78.

²⁸³ The only two cases run by a Lucchese bishop in the Lombard period are CDL II, nos. 182 (ChLA 33, no. 984) and 255 (ChLA 35, no. 1023), both heard by Peredeo. In contrast, during the reign of Charlemagne in Italy, bishops of Lucca directly presided over the following cases: ChLA 38, no. 1121 (also in: *Memorie e documenti*, IV.I, ed. Bertini, no. 104, pp. 162–3); ChLA 39, no. 1139 (also in: *Memorie e documenti*, V.II, ed. Barsocchini, no. 244, p. 143), *I Placiti*, ed. Manaresi, nos. 16, pp. 44–8 (ChLA 72, no. 24) and 26, pp. 81–4 (ChLA 73, no. 50). A further group of cases were heard by episcopal agents, most in the presence of the bishop, namely: *I Placiti*, ed. Manaresi, nos. 7, pp. 18–23; 11, pp. 30–33 (ChLA 40, no. 1184), 15, pp. 41–4 (ChLA 72, no. 12); and 20, pp. 65–8 (ChLA 72, no. 49). There is one other case where the bishop is a party, but also is presented as sitting with the other judges: *I Placiti*, ed. Manaresi, no. 6, pp. 14–18 (ChLA 38, no. 1098). The two Lombard cases are not negligible given the number of surviving documents, but the increase under Charlemagne still seems marked. See also the discussion of episcopal involvement in court cases in general in Heil, "Courts, Clerics, and Legal Culture," pp. 149–50. Heil's examination of the Lucchese material is focused on kinds of cases heard by different authorities, emphasizing clerical control over clerical cases and continuities between episcopal and secular justice ("Clerics, Courts, and Legal Culture," pp. 229–58). The point

of Carolingian Italy, such as the formulaic expressions typically employed in Carolingian records.²⁸⁴ We see the bishop of Lucca gradually interacting more with royal agents.²⁸⁵ Thus, in terms of the kinds of activities bishops spent time on, in terms of the use of Carolingian-Frankish hybrid judicial tools, and in terms of direct contact with Carolingian power on the ground in Italy, we can see in the particularly copious Lucchese records the slow integration of Lucca into a Carolingian world. The key features of change in the Italian episcopate we identified earlier are played out in microcosm in Lucca. In short, we can trace in the extensive Lucca charters the absorption of Lucca into Carolingian Italy.²⁸⁶ There was no dramatic watershed in this process, and the absorption did not entail any abandonment of Lucchese tradition.²⁸⁷ What the Lucca charters demonstrate is the slow growth of Carolingian influence, Carolingian expectations, and the Carolingian shaping of the environment in which the bishops of Lucca lived.

This story of slow spread of Carolingian power, in a way that was not contradictory to local authority and local tradition, is the key to the success of the Carolingians in Italy and indeed to the success of the balance of empire and region in the Carolingian world at large. It is easier to see in Lucca because of the extent of the surviving charters, but it reveals more general processes. The Carolingians did not come in and upset the apple cart in local societies. They insisted on a recognition of their authority, and then the rest could come gradually, including the imposition of Frankish office holders in conquered societies. The incentives for support were sufficient that it was perceived by most Italians to be in their interests to cooperate. Charlemagne's empire grew by slow osmosis, the pull of success, and the willingness to let conquered societies figure out their own ways to participate in the empire on a local level.

This chapter has explored two very different examples of how empire played out on a regional scale. Yet, the lessons from both case studies fit

about intensification under Charlemagne remains, although the Lucchese material requires more detailed analysis.

²⁸⁴ Bougard, *La justice*, pp. 125–7, 134 dating changes in judicial formulae to around 810–20; on changes in personnel in a roughly similar time period, see pp. 141–5.

²⁸⁵ See, for instance, the case where the bishop of Lucca disputed with a priest (*I Placiti*, ed. Manaresi, no. 16, pp. 44–8; ChLA 72, no. 24), which was later appealed to Adalhard, and then reheard by the bishop on his order (*I Placiti*, ed. Manaresi, no. 26, pp. 81–4; ChLA 73, no. 50). For analysis of the use of canonical norms in these cases, see Heil, “Clerics, Courts, and Legal Culture,” pp. 248–56.

²⁸⁶ For full discussion of the later history, see Schwarzmaier, *Lucca*.

²⁸⁷ For some similar arguments in terms of the local aristocracy and churches, see Stoffella, “Aristocracy and Rural Churches.”

together. First of all, there is an empire to address: The influence of king and court was felt widely and often profoundly. Whether it is Italian bishops being prodded to act more like Frankish ones, local writers of annals who reflect knowledge of capitularies, or the extension of imperial control without close personal connections, royal power was pervasive. That does not mean Charlemagne's power was always visible or always effective, but it does point to the existence of imperial power as a reality to be contended with throughout the lands claimed by the Franks. Second, even when we adopt a regional perspective, by looking at power through an Italian lens, or seeing what local annalists have to say, we can find traces of this imperial structure. This fits too with the results of many studies of power locally, most of which testify to the impact of the Carolingians on local societies. However, these indications of imperial power in no sense imply conflict with local realities. The Carolingians do not seem to have experienced much tension between royal interest in control and the realities of local diversity. By discarding expectations of standardization and recognizing the pragmatic Carolingian preference to work with the realities on the ground, we discover a deep extension of Carolingian power, yet one that coexisted and cooperated with regional circumstances. Charlemagne's empire was an empire of regions in that these local societies were the building blocks of the Carolingian political world. However, during the reign of Charlemagne, the empire was not regional, if we mean by the term that regional diversity overwhelmed the imperial center. The overlay of Charlemagne's power is regularly and strongly visible in our sources. It just worked with, rather than in opposition to, local difference. In trying to understand how Charlemagne exercised power we must put all the pieces of the empire back together. The patchwork of royal power can only be fully seen when considered on the imperial scale upon which the king and his men acted. In the process of creating their empire of practice, Charlemagne and his men built on regional societies, integrating them into an imperial structure without undercutting the regionalism. Perhaps then we can agree with some aspects of the Paderborn poet's panegyric.²⁸⁸ Charlemagne was the father of Europe in the sense that he gave a sort of unity to a Europe marked by extensive and persistent regional variation.

²⁸⁸ *Karolus Magnus et Leo Papa*, p. 94, line 504.

5 The conquered regions as arenas for experimentation

Worn down by an unrelenting siege and with his capital city of Pavia infested by disease, the Lombard king Desiderius surrendered to Charlemagne in 774.¹ In 787, encircled on all sides by Carolingian armies, the Bavarians likewise capitulated to Charlemagne.² These events, marking the incorporation of the duchy of Bavaria and the kingdom of Italy into Charlemagne's realm, are carefully noted by Carolingian historians.³ The fall of Italy was one of Charlemagne's first major independent victories. It was not to be the last. The final takeover of Bavaria in 788 was accomplished through strategic manipulation, including a staggering rewriting of events in royal sources⁴ and the enlisting of papal support,⁵ but avoiding a full invasion. Yet it too marks a key phase, according to most historians, in the aggrandizement of empire. Particularly given Bavaria's significance in the later history of the German empire, the incorporation of Bavaria into Francia is appreciated as a major achievement of Charlemagne's reign.⁶ From the perspective of those writing the history of the Carolingians, the conquests demonstrate Charlemagne's military abilities, signify the growth of an empire, and stand among a line of similar conquests.⁷

From the perspective of those studying the histories of Bavaria or Italy, events look rather different. For most historians of medieval Italy, the

¹ The fullest account is that of the *Liber pontificalis: Vita Hadriani*, chapters 34–44, pp. 496–9.

² For analysis and full discussion of the sources, see Airlie, "Narratives of Triumph," pp. 102–12; M. Becher, *Eid und Herrschaft*, pp. 58–63; Krah, *Absetzungsverfahren*, pp. 28–30.

³ Bavaria was officially taken over during a staged trial held at Ingelheim in 788: Royal Frankish Annals s.a. 788, p. 80.

⁴ For which the classic study is M. Becher, *Eid und Herrschaft*; see also Airlie, "Narratives of Triumph."

⁵ Royal Frankish Annals s.a. 787, pp. 74–6.

⁶ Works which make clear the importance of the Carolingian takeover include: W.C. Brown, *Unjust Seizure*; Freund, *Von den Agilolfingern zu den Karolingern*; Wolfram, *Grenzen und Räume*; Dopsch, Freund, and Schmid (eds.), *Bayern und Italien*; to name just a few.

⁷ To give one example, see Collins, *Charlemagne, passim*.

Carolingian period is somewhat of a caesura; a period of strong rule, certainly, but not one that introduced much significant change into the history of Italy.⁸ As opposed to, say, the Gothic Wars or the process of *incastellamento*, the Carolingian takeover is thought to have left little mark on the future development of Italy.⁹ For Bavarian historians, the incorporation is seen as an essential moment.¹⁰ Developments such as the foundation of a metropolitan see at Salzburg and the introduction of concepts of empire to Bavaria are perceived to be important for the future history of the region.¹¹ Despite its involvement in the Frankish world, Bavaria maintained some of its independent traditions, which would again manifest themselves in the later medieval iterations of the duchy of Bavaria. The changes from Agilolfing to Carolingian to Ottonian and later Bavaria are certainly recognized, but the scholarship posits a certain Bavarian continuity from the origins of the duchy still partly shrouded in myth to the Wittelsbach monarchy.¹²

Placing Carolingian, Bavarian, and Italian historiographies side by side, if we may be permitted to generalize, thus creates a contrast between regional perspectives of continuity and a Carolingian story of the onward march of Frankish conquests. Italy and Bavaria are among the succession of victories that both demonstrated and assured Charlemagne's further success. How deeply these conquered societies were integrated into Francia is debated, but the challenges posed by the conquests and consequent expansion of empire are clear. From a Carolingian perspective, the conquests reveal a trajectory of empire formation. From an Italian or Bavarian perspective, the primary narratives constructed by historians are stories of continuity of regional identity, which persist despite Carolingian overlordship. It is not that any of these historiographies are wrong, but they do tend to talk past each other, to the extent that they talk to each other at all.¹³ The Franks so fully dominated the history of Europe in the eighth through tenth centuries

⁸ For a basic survey, see Delogu, "Lombard and Carolingian Italy." For some recent perspectives on the moment of transition, see Gasparri (ed.), 774.

⁹ Perhaps the key works in this context are: Tabacco, *The Struggle for Power*; Toubert, *Les structures du Latium*.

¹⁰ See references in Notes 6 and 11.

¹¹ On the new archdiocese and its archbishop (which may not have been a welcome choice), see, for instance: Wolfram, "Arn von Salzburg und Karl der Große"; Dopsch, "Die Zeit der Karolinger und Ottonen," pp. 157–73. On the introduction of the idea of empire into Bavaria, see W.C. Brown, "The Idea of Empire."

¹² See, for instance, the arrangement of material in: Spindler (ed.), *Handbuch der bayerischen Geschichte*.

¹³ For discussion of how English and Italian language historiographies can misunderstand each other, see Wickham, *The Mountains and the City*, "Introduction to the English Edition," pp. xiii–xxxiii.

that it can be easy to see them as the model against which all other early medieval societies react.¹⁴ National schools of history and their investment in study of the past as components of modern identities can lead to arguments for long term continuity that are not always sufficiently nuanced.¹⁵ Charlemagne did not entirely rework the nature of conquered societies like Bavaria and Italy, but he did introduce systemic and profound changes. However, these societies also left their marks on Francia. Scholars' conceptualization of the Carolingian world as a normative standard for early medieval Europe is an analytical mistake, but it is one that emerges from the primary sources. This is because in many respects the Franks did set a model for the rest of Europe. Yet, this Frankish model was compelling not just because it was coercive, which it was, but also because it was flexible. The model of empire the Franks created was not a pre-existing Frankish structure that Charlemagne and his men sought to force on resisting local societies. The model of empire the Franks created was rather the result of trying to rule in conquered areas, of learning from conquered regions, of merging local traditions with Frankish ones. That is, the model of empire, and eventually the theory of empire, emerged only gradually from the practice of empire.

This chapter aims to explore the empire of practice Charlemagne and his men created by rethinking how the Franks used the conquered regions.¹⁶ During the course of conquest such regions were sometimes discussed in terms of ethnic difference.¹⁷ Once conquered a rhetoric of ethnic difference diminishes, and the new regions become venues for Frankish exploitation, in a variety of contexts.¹⁸ Rather than trying to remake conquered regions into mini-Francias or using them as reserves of resources to extract (although they did that too),¹⁹ the Franks employed

¹⁴ For some useful comments related to this theme, see Airle, "The Cunning of Institutions," pp. 169–71.

¹⁵ Geary, *The Myth of Nations*.

¹⁶ I use the word "region" quite loosely to refer to any entity within the empire which had a recognizable local identity. This does mean I treat all of Italy, for instance, as a region, although it of course was a large territory incorporating other units we might call regions, such as the duchy of Spoleto. However, Carolingian political geography was always irregular: There was no standard size of a county, for example. Therefore, the flexible use of region to denote any area with a sense of local identity is, I think, permitted by the nature of the evidence.

¹⁷ J.M.H. Smith, "Confronting Identities," p. 177. And it was the process of expansion itself that helped make those differences more evident during the period of conquest. See, for example: Pohl, "Telling the Difference," pp. 63–4.

¹⁸ See also Nelson, "Frankish Identity," on relatively limited attention to ethnic identity, Frankishness included, during the reign of Charlemagne.

¹⁹ The best work on the economic importance of conquest generally remains: Reuter, "The End of Carolingian Military Expansion"; Reuter, "Plunder and Tribute." See further discussion of Reuter's ideas on pp. 368–9.

the conquered regions as what I have called “arenas for experimentation,” as places to try out political practices and see how they worked. Charlemagne's first efforts to rule new places did not entail trying to insist on uniformity in conquered regions, something he did not fully do even in Francia, as we have seen. Instead, Charlemagne learned from the conquered regions.²⁰ Sometimes this meant borrowing a practice that was successful in a conquered region and trying it in Francia. Sometimes this meant taking a traditional Frankish tool of rulership and using the conquered regions as a setting to figure out new ways to employ the tool. Sometimes this meant discovering new practices that emerge out of the circumstances of the conquest, out of the combination of Frankish and other traditions, and then bringing these home to Francia. By treating the conquered regions as venues for experimentation, Charlemagne and his men elaborated a practice of empire built on flexibility.

We will explore the conquered regions as arenas for experimentation via three case studies, two from Italy and one from Bavaria. The choice of these two conquered regions is not an accident, but it is also not meant to imply there are not examples elsewhere. Saxony is a rather difficult case, because of the limits of pre-existing political structures before the Frankish takeover and because of the brutality of the decades-long process of conquest, which did not allow much room for governance.²¹ Certainly the argument could be made, drawing especially on the Saxon capitularies, that there was political experimentation in Saxony, but the sources are too limited and the circumstances too particular to allow any extrapolation to the rest of the empire. The Southern regions, Aquitaine, Catalonia, and arguably Provence, would provide interesting material, but unfortunately the sources do not permit sustained analysis. For instance, to the best of my knowledge, the only two documents issued by Charlemagne's court related to what would become the Spanish march are the *praeceptum pro Hispanis*, castigating counts for mistreating holders of *aprisio* lands (property held under special conditions in order to encourage resettlement of deserted territory), and a charter giving land to a man John to reward him for valor.²² I am unwilling to read back the later documents to the circumstances during

²⁰ Such borrowing was not particular to Charlemagne. For another case of borrowing from Italy, see Dunbabin, *The French in the Kingdom of Sicily*.

²¹ See discussion of the conquest of Saxony in Chapter 2, pp. 101–2 with further references. There were also of course regional differences within Saxony, but in no part of the region is the evidence sufficient to allow us to fully consider the issue of experimentation.

²² *Praeceptum pro Hispanis*: DK 217; also edited in: *Catalumya Carolingia*, ed. d'Abadal I de Vinyals, vol. II, document 2, pp. 313–14; and charter for John: DK 179=*Catalumya Carolingia*, ed. d'Abadal I de Vinyals, vol. II, document 1, pp. 310–11.

Charlemagne's reign, and the more interesting of the narrative accounts similarly postdate 814.²³ Bavaria and Italy, then, are the obvious candidates for study. They both provide ample source material, from before and after the conquest, so that one is able to develop a sustained argument. The primary reason for the choice of Bavaria and Italy, then, is that these are the areas where the sources permit us to see what are probably broader patterns of response to conquered regions. However, this too is not random. Bavaria and Italy were both thriving, sophisticated regions when the Franks took them over. These were places that had something to teach the Franks. Charlemagne's response to them was to insist, stridently, on his own control, but also to learn from their example. The case study from Bavaria relates to aspects of religious reform, the Italian case studies to legal affairs and justice. This too is not an accident, but a reflection of the indigenous interests of those regions, as well as the concerns of Charlemagne's court. Regardless of how one wishes to interpret the long term effect of the Carolingians on Bavaria and Italy, in the immediate wake of the conquests, Charlemagne had a deep impact on these societies. The nature of that impact, however, was to encourage experimentation and to draw them into a Frankish world. Charlemagne did reshape these societies, but they too reshaped Francia, and it was from the mutual entangling of center and periphery that Charlemagne's practice of empire emerged.

Case study 1: regional reform councils in Bavaria

Our first case study takes us to Bavaria, to the orbit of the archbishop of Salzburg, Arn, whom we have already met in his guise as royal *missus* and judge. We will consider here Arn's pastoral functions. This case study relates to the development of a particular form of regional reform council under Arn's guidance, and reveals how the intersection of royal expectations, local traditions, and independent initiative could create a new tool of rulership. This tool was so effective it was later exported back to Francia at the very end of Charlemagne's life, indeed as one of the last major projects he undertook.

At an unclear date and also in, most likely, 800, Arn of Salzburg presided over church councils held in Bavaria to convey the essential ideas associated with the reform of the church in Charlemagne's realm since the promulgation of the *Admonitio generalis* in 789.²⁴ These are the

²³ For a similar argument about *aprisio* grants, see Jarrett, "Settling the Kings' Lands," and discussion in Chapter 2, pp. 104–5.

²⁴ *Concilium Rispacense*, in *Conc.* II, no. 22, pp. 196–201, and *Concilia Rispacense, Frisingense, Salisburgense*, in *Conc.* II, no. 24, pp. 206–19. The most typical date offered for the Council of Reisbach is 798. On the dates of these councils, see, most recently,

council of Reisbach and then the triple council of Reisbach, Freising, and Salzburg, a series of linked meetings usually treated as one overall council. We have already examined how Arn's judicial work matched the expectations laid out in royal capitularies. In his capacity as archbishop and reformer, these councils again show us Arn behaving as Charlemagne wished. Both make explicit reference to royal authority: The council of Reisbach is presented as an effort to enact in Bavaria what was done for all Francia generally by the king in that same year, and the triple council began with Bishop Sindbert reading out decrees from Aachen and Frankfurt so that the Bavarian clergy might add to them.²⁵ The Bavarian reform councils make obvious reference to the royal power that ultimately lay behind them in their mentions of Charlemagne, and implicit reference in their content, which echoes the content of the royal reform program.²⁶ These councils drew on a tradition of church reform in Bavaria, including

Pangerl, *Die Metropolitanverfassung*, pp. 204–6. See also Mordek and Glatthaar, “Von Wahrsagerinnen und Zauberern,” on links between Bavarian councils and royal concerns.

²⁵ For the triple council: *Concilia Rispacense, Frisingense, Salisburgense*, in *Conc.* II, no. 24, pp. 206–19; see the heading for section A and text one in section B, pp. 206 and 213–14 (now re-edited as *Karoli regis capitula ad Arnonem archiepiscopum Salisburgensem directa* [ed. Mordek, *Bibliotheca*, pp. 974–5]), and the preface to this council, edited in: Werminghoff, “Zu den bayrischen Synoden,” pp. 42–4, at p. 43: “Simulque etiam in unum revolventes quod gloriosissimus rex constituerat ad emendationem totius ecclesiae, – hoc per virum venerabilem Sintbertum episcopum usque ad nos dirigere studuit cum aliis relegiosis viris, – quicquid ad Aquis de religionis statu vel vitae morum opportunitate, discerpit pariterque et illud, quod in magno concilio cum capitulis collectis in loco nuncupato Francorum vado quae per omnes provincias observare decrevit, nosque haec in medium deferentes studuimus ea per singula recitare et, in quantum potuimus, quae illic inserta non fuerant nos canonum auctoritate augere curavimus.” On the manuscript transmission of these councils and additions to the edition, see also Alban Dold, “Die Texte der bayerischen Synodalstauten.” For the Council of Reisbach: *Concilium Rispacense*, in *Conc.* II, no. 22, document A, p. 196. This text refers to a Frankish meeting, whose decisions the Bavarian council seeks to replicate. When this Frankish meeting actually happened is unclear, as is what kind of royal meeting might have been the source. I do not think we have a lost general council record lying behind this Bavarian council, but a royal capitulary.

²⁶ While the councils are in line with the Carolingian reform program, they do also draw on Bavarian traditions. De Clercq, *La législation religieuse*, pp. 254–5, discusses precedents from a variety of contexts. For Charlemagne's link to the triple council, see Mordek and Glatthaar, “Von Wahrsagerinnen und Zauberern,” pp. 42–4, 58–61 (pp. 238–40, 254–7 in the reprint). The reform program also had other echoes in Bavaria, as reflected in the Pseudo-Boniface sermons, whose transmission is linked to Bavaria, and that propagate some reform ideas. Another example is found in similar Frankish and Bavarian understandings of clerical stability and obedience. On the Pseudo-Boniface sermons see Meens, “Christianization and the Spoken Word”; on clerical stability and obedience see Esders and Mierau, *Der althochdeutsche Klerikereid*, pp. 24–39. For direct borrowings from the *Admonitio generalis* in the Bavarian synods, see Glatthaar in *AG*, pp. 115–17.

under the last Duke, Tassilo.²⁷ While at first glance these councils might appear entirely expected – emerging from Bavarian practice, fulfilling royal demands, acting out church reform – in fact, they represent a departure in the kind of councils held under Charlemagne.

What is particularly remarkable about these councils is their combination of a reform agenda shaped by royal directives with a regional focus. That is, until the very end of Charlemagne's reign, there were no councils addressing the royal reform program as a whole on a regional level, except in Bavaria, and potentially, in one unusual case from Italy. To make this argument, we need to first establish what is meant by a regional reform council. Next, we will consider the corpus of surviving council records, which will reveal that it was only at the very end of the reign that the Franks began to hold regional reform councils within the heartlands of the empire. One might explain this phenomenon by contending that we have lost records. While such textual loss is always possible, both the manuscript transmission of councils held during Charlemagne's reign and evidence from the reign of Louis the Pious argue against this explanation. This section will end by offering a different interpretation of how and why the practice of holding a particular form of regional council spread from Bavaria into Francia.

Let us begin with some basic definitions. It might seem odd at first glance to claim that Arn's regional reform councils were a novelty. All church councils in some sense are reform councils and more importantly a church council, of whatever kind, on whatever level, can hardly be claimed to be a Carolingian innovation. However, the specific details of the kind of council Arn convened in Bavaria allow us to see these councils as an innovation in the particular circumstances of Carolingian Europe. The reform component of the councils is more easily defined: By reform council I mean a local council which seeks to implement the program of religious reform originally promulgated by the king in the *Admonitio generalis* in 789.²⁸ That is, a reform council focused on the general and wide-ranging program of reform pursued by the court from 789 onward, rather than simply on one single issue. By regional I mean anything neither

²⁷ The Bavarian councils held during Tassilo's reign are: *Concilium Dingolfingense*, in *Conc.* II, no. 15 from 770 (maybe), pp. 93–7 and *Concilium Neuchingense*, in *Conc.* II, no. 16 from 772, pp. 99–105. On Bavarian precedents for Arn's later councils, see also Pangerl, *Die Metropolitanverfassung*, pp. 252–3. Tassilo's two councils are particularly interesting precedents for Carolingian legislation in their broad focus and in their hybrid capitulary/council format. The point cannot detain us here, but requires further attention.

²⁸ On the *Admonitio generalis* and its status in the reform movement, see, for instance, de Clercq, *La législation religieuse*, pp. 172–6, 180–3; McKitterick, *The Frankish Church*, pp. 1–12. For a full discussion of its impact on other texts during the reign of Charlemagne, see now Glatthaar, in *AG*, pp. 112–47.

directed at the realm at large nor confined to one diocese. The most typical candidates for such councils would be synods presided over by metropolitans or archbishops,²⁹ but I would include anything involving two or more dioceses that did not encompass the entire empire.³⁰

Having established what a regional reform council is, we need to consider the nature of the surviving records and see what kinds of councils took place. There are actually a circumscribed set of council records that survive from the reign of Charlemagne. Once we leave aside councils held outside the borders of the empire, and "council records" that survive today only as capitularies, which, even if other documents originally existed, obviously stem from royal meetings, we are left with just fourteen council records.³¹ The tendency to assume that there were

²⁹ The two titles do not fully coincide, but the distinctions are not essential for us here. The point is simply that we are looking for councils that include more than one diocese. On the terminology of metropolitans and archbishops, see Pangerl, *Die Metropolitanverfassung*, pp. 29–31.

³⁰ Compare the classification of councils employed in Pangerl, *Die Metropolitanverfassung*, pp. 160–3.

³¹ *Conc.* II includes twenty-five synodal records (for twenty-five synods; some incorporate several documents produced at or associated with one council). Of these, two are councils held by the pope and cannot be counted as Carolingian councils (*Concilium Romanum*, no. 14 from 769, pp. 74–92 and no. 23 from 798, pp. 203–4; the latter has links to Frankish concerns, but is again not itself a Carolingian document). A further record is Leo III's oath of purgation (no. 26, pp. 226–7); however one chooses to classify this document, it is clearly not a typical council record either (see further [Note 70](#)). Another two records are Bavarian councils/capitularies from the reign of Tassilo (*Concilium Dingolfingense*, no. 15 from 770 [maybe], pp. 93–7 and *Concilium Neuchingense*, no. 16 from 772, pp. 99–105). Another five councils either noted or edited here currently survive as capitularies, namely: Council no. 17 (*Concilium Haristallense*), pp. 106–7 is the capitulary of Herstal (*Capit.* I, no. 20, pp. 47–51); council no. 18 (*Concilium in Francia habitum*), pp. 108–9 is the *Capitulare episcoporum*, *Capit.* I, no. 21, p. 52 (also ed. Mordek, "Karls des Großen zweites Kapitular," pp. 50–2); council no. 27 (*Concilium Aquisgranense*), pp. 228–9 is the *Capitula a sacerdotibus proposita*, *Capit.* I, no. 36, pp. 106–7 (now considered to be an episcopal capitulary, possibly of Ghaerbald of Liège, *CEP* I, pp. 16–21 and discussion in [Chapter 4, Note 176](#)) and the *Capitula de presbyteris admonendis*, *Capit.* I, no. 120, pp. 237–8 (now thought to be a later ninth-century episcopal capitulary, see *CEP* III, pp. 93–9); council no. 28 (*Concilium Aquisgranense*), p. 229 is the *Capitulare missorum generale*, *Capit.* I, no. 33, pp. 91–9; council no. 29 (*Concilium Aquisgranense*), pp. 229–30 is the *Capitula de examinandis ecclesiasticis*, *Capit.* I, no. 38, pp. 109–11. Council no. 24 is also edited in the capitulary volume as *Statuta Rhispacenisa Frisingensia Salisburgensia*, no. 112, pp. 226–30. As it is admitted even in the introduction in the capitulary edition that this text was issued in the locales named in the title, there is no good reason for it to be considered a capitulary. There is a final record included in the *Monumenta Germaniae Historica Concilia* volume, namely, *Concilium in monasterio Tegernsee habitum*, no. 30, pp. 231–3 (also ed. TF no. 197, pp. 188–90) but this is actually a dispute settled by an episcopal convocation, so I will leave it aside here. There was also a discussion about *computus* in 809, preparatory to further study of the issue, but it is not clear to me that this was a synod; in any case, it was a royal event, addressed to a particular subject, and thus not a precedent for a regional reform council. See *Epistolae variorum*, no. 42, pp. 565–7.

independent conciliar decrees issued alongside capitularies at royal assemblies is problematic at best. In any case, we can only analyze the documents that have survived, which are capitularies, and are furthermore directed at the empire as a whole.³² Thus, putting aside the capitularies leaves us with only the relatively limited group of fourteen councils to work with. Five of these are the imperial regional reform councils, which appear only at the end of the reign, and which we will consider later. The other nine records are the documents associated with the Synod of Frankfurt in 794, an Aachen council devoted to Adoptionism, the 809 discussions about the *filioque* clause, three regional councils addressed to single issues, and the Bavarian and possibly Italian meetings that provide a model for regional reform councils.³³

Aside from the two meetings led by Arn in Bavaria, and the anomalous Italian record we will examine in this chapter, there are no regional reform councils that survive from the reign of Charlemagne until the very end of the reign. The Frankfurt, Aachen, and *filioque* meetings were of empire-wide significance, and thus can be set aside for our

See further [Note 68](#). I will not include the entire corpus of materials and discussions relating to *computus* as a council. Doing so, however, would not change the argument here, as this was a single issue pursued on the imperial level.

³² There are some useful observations on links between capitularies and councils in Felten, “Konzilsakten als Quellen”; this is a point worthy of further attention. It is of course also possible for capitularies to be repromulgated in a local context, including at synods, which is part of what happened at Reisbach, Freising, and Salzburg; see [Note 25](#).

³³ Synod of Frankfurt: *Concilium Franconofurtense*, *Conc.* II, no. 19, pp. 110–71, including a letter from the bishops of Spain to the bishops of Francia; a letter from the bishops of Spain to Charlemagne; a letter from Pope Hadrian to the Spanish episcopate; the so-called *Libellus sacrosyllabus episcoporum Italiae*, the letter from the bishops of Italy to the bishops of Spain, drafted by Paulinus of Aquileia; a letter from the bishops of Francia to the bishops and people of Spain; a letter in the name of Charlemagne to Elipand of Toledo and the other bishops of Spain; and finally the capitulary laying out the council’s decisions; Aachen council on Adoptionism: *Concilium Aquisgranense*, in *Conc.* II, no. 25, pp. 221–5; 809 meetings: Now edited separately as *Das Konzil von Aachen, 809*, ed. Willjung. The local councils are: *Conventus episcoporum ad ripas Danubii*, in *Conc.* II, no. 20, pp. 172–6, held on the banks of the Danube; *Concilium Foroiuliense*, in *Conc.* II, no. 21, pp. 179–95, held in Friuli; *Concilium Rispacense*, in *Conc.* II, no. 22, pp. 196–201, held in Reisbach; *Concilia Rispacense, Frisingense, Salisburgense*, in *Conc.* II, no. 24, pp. 206–19, from Reisbach, Freising, and Salzburg; *Concilium Baiuvaricum*, in *Conc.* II, no. 31, p. 233, held in an unknown location in Bavaria; *Concilium Salisburgense*, in *Conc.* II, no. 32, p. 234, held in Salzburg (also edited as TF no. 248, pp. 224–5, and see comments below). The particularly rich Bavarian tradition is also emphasized by Pokorný: Pokorný, “Ein unbekannter Synodalsermo,” pp. 379–81, although he lists meetings somewhat differently than I do here. I have not counted the sermon Pokorný edits as evidence of a separate Bavarian council, as we have no further information, but it is certainly possible that this sermon is the only remaining trace of yet another regional council convened by Arn. Compare Pokorný, “Ein unbekannter Synodalsermo,” p. 389, who links the sermon to a meeting recorded in TF no. 231, pp. 213–14. I do not think that judicial assembly was an actual council (see further [Note 35](#)).

purposes. A rather obscure text edited with the capitularies may offer some evidence of a regional synod being held, but its location is unclear, and the few surviving chapters do not reflect a general reform agenda.³⁴ The other three regional meetings were addressed to one single issue, and thus also do not have a general reform agenda. Two of these are Bavarian meetings, evidence of the particular Bavarian interest in pursuing reform in a council setting, but both are addressed to just particular issues, namely, prayer for the dead and tithes.³⁵ The third regional record is a bit unusual, and requires some comment. The record was produced by a council held on the banks of the Danube in 796, the so-called *Conventus ad ripas Danubii*, in the context of the Avar invasion. The council record, which presents itself as an adjunct to Pippin and Charlemagne's conquest of the Avars, was obviously very closely tied to royal policy.³⁶ It is a difficult record to assign regionally, because of this tight link to the royal plans for the conquest of the Avars and its ties to both Italy and Bavaria.³⁷ One could call it Italian as a

³⁴ *Quibus de rebus in synodo quadam provinciali tractandum sit*, in *Capit.* I, no. 118, p. 236. Despite the editor's title, the genre of this short text is unclear. I would be more inclined to treat it as a primitive episcopal capitulary. Even if it was produced by a regional council of some kind, there is no evidence for a wide reform agenda. The only manuscript copy of this text is Vatican, Biblioteca Apostolica Vaticana, Pal. Lat. 289, f. 2r, which does not help elucidate the circumstances of its composition. I am grateful to Sandro La Barbera for verifying the details of this manuscript for me.

³⁵ These are: *Concilium Baiuvaricum*, in *Conc.* II, no. 31, p. 233; *Concilium Salisburgense*, in *Conc.* II, no. 32, p. 234 (also ed. TF no. 248, pp. 224–5). Pangerl, *Die Metropolitanverfassung*, pp. 209–11 includes in his list of provincial synods in Bavaria two disputes settled in an assembly of clerics. The cases in question are TF no. 231, pp. 213–14 and TF no. 299, pp. 258–9 (for the possibility that the former is linked to the anonymous synodal sermon attributed to Arn, see Note 33). Both of these, to my mind, are judicial assemblies, and not councils. Regardless of how one chooses to classify them, there is no indication that they dealt with a broader agenda. Similarly, it is possible that we may now have no evidence of further councils that focused on administration, rather than legislation, but, as these would not have dealt with the reform program as a whole, they do not affect the basic argument here. See further Note 64 on what kind of records we should expect to have.

³⁶ *Conventus episcoporum ad ripas Danubii*, in *Conc.* II, no. 20, here pp. 172–3: “Denique cum secundum bonae voluntatis suae propositum ferocium gentium mentes ad lenitatis mansuetudinem in praefinito perducere dignatus fuisset tempore et Caroli Christianissimi principis animum fidei zelo inflammatum feliciter incitasset, quatenus Christianas exercitum legiones per dilectissimum Pippinum suum, Iordannica sceptrā Christo duce gubernante, supra ripas Histri Danubii adgregandas non retardaret, castra calcitius metatus in eodem loco isdem venerabilis Pippinus rex, accersito quin etiam quorundam episcoporum reverendo collegio, de plurimis quibusque rerum ceremoniis ad cultum Dei et Christianam propensius pertinentium religionem diligenti studuit curiositate clementibus explorare verbis.” It also reveals well the intertwining of political and religious concerns, and the conceptualization of mission at Charlemagne's court: See Reimitz, “Grenzen und Grenzüberschreitungen,” pp. 156–62.

³⁷ On missionary policy, see discussion in Chapter 8, pp. 413–14.

simplification because it was run by Paulinus of Aquileia, but it was attended by Arn of Salzburg and addressed plans for the evangelization of the Avars by Carolingian bishops.³⁸ The text is of relevance to the entire empire, not simply the area where it was held or from where its participants came. Thus, the geographical implications of this synod are of a different nature than those of the other regional councils. Paulinus was in charge because of geographical proximity and the role of Pippin of Italy, but this council is perhaps better seen as a royal document, implemented by a close adviser to Charlemagne, who was chosen by expediency.³⁹ The point here is Paulinus' convenient location and his intimacy with the court, not his Italian identity *per se*. For our purposes, the council is still focused on one issue, but should best be seen as a sort of hybrid local/royal council record, rather than as a truly regional text. Nonetheless, it is still not a regional reform council.

Other than Arn's two Bavarian councils with which we began, we thus have only one other possible candidate for a regional reform council, namely, the Council of Friuli held in 796/7, again under the direction of Paulinus of Aquileia.⁴⁰ The records of this meeting do not fit the pattern of the other regional councils, or indeed of any other council from the reign of Charlemagne. As the editor notes, the council record has three parts.⁴¹ The first section considers the importance of councils and eludes to Adoptionism, a topic Paulinus had already worked on for the Synod of Frankfurt in 794.⁴² The second section entails a discussion of the procession of the Holy Spirit, a topic which was to attract much attention during Charlemagne's reign.⁴³ Finally, the council record ends with fourteen *capitula* of a general nature, containing material derived from the *Admonitio generalis*, the Synod of Frankfurt, and earlier church

³⁸ De Clercq, *La législation religieuse*, pp. 191–3. The sole manuscript copy of the council ends with a note recording Paulinus' presence: *Conventus episcoporum ad ripas Danubii*, in *Conc.* II, no. 20, here p. 176: "Paulinus licet indignus servorum Domini ultimus servus, valvula sanctae et orthodoxae Aquilignensis ecclesiae sedis, horum venerabilium fratrum socius et auditor fui." Arn's presence has been inferred from a comment of Alcuin's; see editor's comments in the edition, p. 172, and Alcuin, letter 107, pp. 153–4. On the long term background to this missionary work, see Kahl, "Zwischen Aquileja und Salzburg."

³⁹ Of course, Paulinus was also chosen for his experience with councils and missionary work. On both these fields of activity see Cuscito, "Paolino di Aquileia nelle sinodi"; Dolinar, "Paolino e gli Sloveni." See also further discussion of Paulinus in Chapter 4, pp. 207–9.

⁴⁰ *Concilium Foroiuliense*, in *Conc.* II, no. 21, pp. 179–95. For an overview of the council, see Piussi (ed.), *XII centenario del concilio di Cividale*.

⁴¹ See also Paulinus' own account of the council: *Epistolae variorum*, no. 15, pp. 517–20.

⁴² For the general context of the Frankish struggle against Adoptionism, see Cavadini, *The Last Christology*.

⁴³ For extensive discussion of this issue, culminating in the 809 Aachen council, see now: *Das Konzil von Aachen*, ed. Willjung.

councils.⁴⁴ These final chapters are close to being a regional reform council, although they also bear some similarities to the genre of episcopal capitularies, which was just beginning in this period.⁴⁵ The majority of the text focuses on the creed, which would suggest that we should see it as primarily focused on one issue, but the *capitula* at the end widen the focus of the text considerably.⁴⁶ Paulinus himself presents the text as an effort to fulfill the canonical duty to hold councils and as an attempt to draw on his experiences at royal meetings, but he may intend to refer here to the discussion of theology under royal auspices.⁴⁷ He does leave it to Charlemagne to publicize the decrees if they were pleasing to the king.⁴⁸

The Council of Friuli thus is a bit of a mix of a focused council and a general one.⁴⁹ It provides a partial Italian precedent, despite the minimal tradition of such councils in Italy, for the kind of regional reform councils I will argue emerged from a Bavarian milieu.⁵⁰ The point, however, is not that no other regions experimented with reform, but that there was a clear precedent in Bavaria using the model later followed in Francia at the end of Charlemagne's reign. Bavaria serves as the best forerunner for later Frankish practice because there was a more sustained Bavarian interest in regional reform councils and because the Bavarians held councils entirely devoted to regional reform, as the Franks would eventually do. As we will see later, the point of these arguments about borrowing is not to claim that there was never any precedent elsewhere, but that a clear, sustained tradition of certain practices developed first in particular regions before spreading widely throughout the empire. Thus, the Council of Friuli is an example of the kind of experimentation with inculcating reform regionally that was taking place throughout the empire, and which included innovations like episcopal capitularies (which too can be argued to be a

⁴⁴ Overview in de Clercq, *La législation religieuse*, pp. 250–2. Close emphasizes material taken from the *Dionysio-Hadriana* canon collection: Close, *Uniformiser la foi*, p. 163, note 484.

⁴⁵ See further discussion of the episcopal capitularies in Chapter 4, pp. 211–15.

⁴⁶ See, for instance, *Concilium Foroiulense*, in *Conc.* II, no. 21, c. 5, p. 191 on the limits of involvement of clerics in secular matters or c. 9, p. 192 on legitimate age for marriage.

⁴⁷ *Concilium Foroiulense*, in *Conc.* II, no. 21, introduction, pp. 179–80. For analysis, Close, *Uniformiser la foi*, p. 162.

⁴⁸ *Epistolae variorum*, no. 15, pp. 517–20.

⁴⁹ Which is close to Paulinus' own presentation of the council in *Epistolae variorum*, no. 15, here p. 519: "huius statuta concilii, non quasi generalia, sed localia vel specialia, cum provincialibus istius sedis consentaneisque episcopis." The range of the council is also apparent in Piusi (ed.), *XII centenario del concilio di Cividale*.

⁵⁰ It is treated as such a general council in Mordek, "Aachen, Frankfurt, Reims," p. 126 (p. 206 in the reprint). On the importance of the council, its general reform agenda, and its links to the Bavarian material, see also Bratoz, "La cristianizzazione degli Slavi," pp. 180–8.

predominantly Bavarian phenomenon).⁵¹ But it was in Bavaria that a particular approach to conciliar regional reform took shape, which bears the most resemblance to later Carolingian tradition, and where regional reform was the sole focus of the councils.

These councils constitute, even in Bavaria, a limited tradition. This is particularly true because the status of the first of Arn's councils, the council of Reisbach, has been questioned. We have three documents linked to this council, namely, a synodal encyclical by Arn, a pastoral letter by Arn, and some canons preserved by Regino of Prüm. We cannot demonstrate securely that these documents are connected, nor can we precisely define the circumstances of their composition.⁵² It is possible, as has been suggested recently,⁵³ that we should associate them with the triple council of Reisbach-Freising-Salzburg that Arn held, probably, in 800⁵⁴ and which is fully attested.⁵⁵ I have chosen not to conflate the two meetings because the texts associated with Reisbach do not match the decrees from the triple council especially well, and because there is little support for the conflation in the manuscript tradition.⁵⁶ While there are certainly some overlaps of content, they are not especially numerous, nor do the organization and tone of the surviving materials coincide particularly strongly. If the three records thought to indicate the existence of the council of Reisbach cannot be tied to the triple council, then it seems to me that they can best be treated as evidence of a further meeting. The texts do suggest a reform agenda pursued in a synodal setting, and this is not the only Bavarian council for which we have limited evidence.⁵⁷ We cannot exclude the possibility that the records testify to several meetings. However, rather than multiply potential councils without justification, the safest course is to treat these records as products of a single council. Even if we must disaggregate the three texts linked in the MGH edition, it still seems likely to me that we have evidence of a regional

⁵¹ See discussion of these sources, including how many of them are Bavarian, in Chapter 4, pp. 211–15.

⁵² A good argument questioning the synod is made in Diesenberger, "Sammeln und Gestalten," pp. 178–83.

⁵³ By Pangerl, *Die Metropolitanverfassung*, p. 205.

⁵⁴ On the date, see Pangerl, *Die Metropolitanverfassung*, p. 206.

⁵⁵ For the *status quaestionae* of the triple council, see Pangerl, *Die Metropolitanverfassung*, pp. 204–5.

⁵⁶ Munich, Bayerische Staatsbibliothek, Clm 28135 includes both Arn's pastoral letter and the decrees of the triple council, but not in the same section of the manuscript, nor with any indication that they go together (see description in Mordek, *Bibliotheca*, pp. 364–7). However, Arn's pastoral letter may not be linked to any council at all (see Note 59), which undermines a manuscript link between the two possible councils.

⁵⁷ For example, *Concilium Salisburgense*, in *Conc.* II, no. 32, p. 234 (also ed. TF no. 248, pp 224–5) for limited transmission.

reform council. The canons in Regino alone cannot tell us much, other than that, if they were indeed produced at the same meeting, then that council addressed more than one issue.⁵⁸ Arn's pastoral letter, the *Instructio pastoralis*, may well not have been produced in conjunction with a synod at all.⁵⁹ This leaves us with the encyclical letter, the language of which evokes the kind of broad reform agenda at issue here.⁶⁰ Given the limitations of the evidence, it must be stated baldly that we cannot be sure about the status of the Council of Reisbach. However, in light of the tone of the encyclical and the possibility that the canons preserved in Regino reveal a multi-pronged agenda, I propose that we do have incomplete remnants of a regional reform council at Reisbach, of uncertain date, and which likely originally included the encyclical and a fuller collection of canons. We are admittedly dealing with only a few records of councils overall, a reflection of the early stages of the reform processes Charlemagne set in motion. It is nonetheless telling that the first good precedents we can find for the significant 813 councils are Bavarian, and particularly the triple council of 800, which mimics the structure of the five 813 meetings.⁶¹

In short, I would argue that during the reign of Charlemagne, there were no general reform councils held on a regional level in the imperial center, but there were such councils in the conquered regions during Charlemagne's rule there.⁶² This situation changes in 813, when the king convened five simultaneous regional councils in Gaul, in order to

⁵⁸ *Concilium Rispacense*, in *Conc.* II, no. 22, p. 197 for the two canons.

⁵⁹ See Diesenberger, "Sammeln und Gestalten," pp. 178–83, and the discussion of this text in the context of episcopal capitularies on pp. 211–12. It has also been suggested that the *Instructio pastoralis* dates to the time of Tassilo, but I find the ascription to Arn more convincing. Compare Glatthaar, in *AG*, p. 117.

⁶⁰ *Concilium Rispacense*, in *Conc.* II, no. 22, p. 196: "Sicut optime noverit fraternitas vestra, et canonica auctoritas probat omniumque nostrorum est utilitas maxima, qui sumus in loco regiminis constituti, synodale conloquium habere et ibi pertractare nostrum ministerium a Deo nobis commissum ad profectum totius Christianae plebis, quia id ipsum a confratribus nostris episcopis hoc anno in regno domni senioris nostri in Francia est peractum. Quapropter Deo auspice nos coadunati sumus synodalem conluctionem exercere ad Rispah die inchoante XIII. Kalendas Septembris. Quapropter bonum est, ut die statuto vos ipsi illuc veniatis et precipiatis vestro chorepiscopo, ut illuc veniat, ac archipresbyteris vestris seu ceteris primoribus ecclesiasticis et de illa vestra abbatia illos proceres monachos, quantos vobis videtur, et si illa capitula, quae in illo synodo in Francia gesta fuerunt, scripta habeatis, vobiscum deferetis."

⁶¹ If the *Concilium Baiuvaricum*, in *Conc.* II, no. 7, pp. 51–3 is a Bavarian regional council, as is suggested by W. Hartmann, *Die Synoden*, p. 31, then this too could be a precedent. However, elsewhere Hartmann calls it an episcopal capitulary (*Die Synoden*, pp. 90, 144, note 12), and in any case the dating is unclear.

⁶² Compare the list of councils in Pangerl, *Die Metropolitanverfassung*, p. 224, focused on councils held by metropolitans with their suffragans. The need to explain the 813 councils is also stressed by W. Hartmann, *Karl der Große*, p. 175.

consider the religious state of the realm.⁶³ The 813 councils represent an effort to inculcate the general reform program of the *Admonitio generalis* on a regional level via synods. The particular combination of a reform agenda and a regional synodal setting appears for the first time in Charlemagne's reign in Francia itself only in 813. Yet, this approach to religious reform was evident in Bavaria long before a similar tactic was adopted in the Frankish lands.

One might speculate that the phenomenon of regional reform councils being held during Charlemagne's reign only in Bavaria before 813 is solely a function of the loss of sources.⁶⁴ We can counter this argument by looking at evidence for lost councils, the manuscript transmission of the surviving councils, and records from the reign of Louis the Pious. It is indeed possible that we have lost records of councils. Given that Carolingian legislation regularly insisted on the necessity of frequent church councils, the lack of which was one of St. Boniface's main criticisms of the Frankish church in the previous generation, we might assume the limited number of regional councils is simply a function of source survival.⁶⁵ We cannot fully account for text loss, but adding to our examination the lost councils we have hints of in the sources does not change our picture of regional reform councils. In addition to the synods edited in the *Monumenta Germaniae Historica*, Hartmann identifies possible councils at Paderborn in 777, Worms in 786, Regensburg in 792, Aachen in 797, and Paderborn again in 799.⁶⁶ The evidence for these additional five meetings varies in quality.⁶⁷ But even if all of these five additional

⁶³ These are edited as *Concilia Arelatense, Remense, Moguntinense, Cabillonense, Turonense*, numbers 34–8, pp. 245–306, in *Conc. II*. On their significance, see McKitterick, *The Frankish Church*, pp. 12–15.

⁶⁴ Pangerl, *Die Metropolitanverfassung*, p. 251 argues that provincial synods need not produce written records. I do not think the same is true for the type of regional reform councils at issue here. For his comments on the preservation of records, see pp. 248–60.

⁶⁵ Boniface's famous, if tendentious, complaint about lack of synods in Francia is found in his letters, namely, in letter 50, pp. 299–302, here p. 299. The claim is only true if one counts quite narrowly (see, for instance, W. Hartmann, *Die Synoden*, pp. 2, 47–50). For a more positive assessment of the state of the Frankish church and indigenous contributions to reform, see Claussen, *The Reform of the Frankish Church*.

⁶⁶ W. Hartmann, *Die Synoden*: The synods under Charlemagne are discussed on pp. 84–6 (a Roman synod), 92–6 (Tassilo's synods), and 97–151. The additional synods whose records do not survive are discussed as follows: Paderborn in 777 (p. 99), Worms in 786 (p. 102), Regensburg in 792 (pp. 104–5), Aachen in 797 (p. 119), and Paderborn again in 799 (pp. 120–1). See also his list of synods in *Die Synoden*, p. 493.

⁶⁷ For instance, in 777 the issue is whether there was an episcopal assembly separate from a royal assembly. I would argue that such a distinction is often meaningless and that we can be confident a meeting of mixed character took place. On types of assemblies, see also Eichler, *Fränkische Reichsversammlungen*, pp. 29–38. The available sources for each proposed council are carefully noted in W. Hartmann, *Die Synoden*, as in the Note 66.

councils actually took place, they do not provide any further evidence for reform councils on a regional level. The first Paderborn, the Worms, and the Aachen 797 meetings were general, royally run councils, and thus do not provide evidence on regional reform.⁶⁸ The Regensburg meeting, for which there is excellent evidence, was again directed at the entire empire and was royally sponsored (even though it was held in Bavaria). It also addressed the specific theme of Adoptionism, but the key point is that it was a royal gathering.⁶⁹ The second Paderborn event is the meeting between Pope Leo III and Charlemagne after the Pope fled to royal protection following the attack on his life.⁷⁰ It is not clear to me that this should properly be called a synod, but it is in any case again a royal meeting. The traces of lost councils in the sources for the reign of Charlemagne do not provide any evidence for regional reform councils.

Similarly, the unusually extensive survival of Bavarian ecclesiastical manuscripts⁷¹ cannot entirely account for the lack of preserved records other than in Bavaria. First, there are some non-Bavarian regional councils from Charlemagne's reign, such as the Council of Friuli, whose transmission we will examine immediately, or the 813 councils themselves, which are preserved in Frankish manuscripts.⁷² The 813 councils that are preserved in Bavarian and non-Bavarian copies demonstrate the point that the Bavarians were interested in recording many regional councils, not just their own.⁷³ Perhaps the most important argument, however, is the extent to which the manuscripts of councils hint at a wider Carolingian cultural world. What happened in Bavaria was

⁶⁸ Both Paderborn in 777 and Aachen in 797 are noted in narrative sources (and 777 also in charters), while 786 is inferred by Hartmann. But in all cases what the sources suggest is a royal event of some kind. Even if the Aachen council had a regional agenda, it was still a royal meeting. As stated in Note 31, I will not consider the attention to issues of *computus* as stemming from a conciliar setting.

⁶⁹ The evidence for the discussion of Adoptionism at Regensburg comes not just from the Royal Frankish Annals and its revision (s.a. 792, pp. 90–1), but from various other records generated by the Carolingian response to Adoptionism: See W. Hartmann, *Die Synoden*, pp. 104–5 for a full discussion of the evidence.

⁷⁰ The only surviving documentary evidence of the entire process of discussion between Leo and Charlemagne is Leo's oath of purgation taken in Rome: *Conc.* II, no. 26, pp. 226–7. This text has been deeply debated. The literature includes: Adelson and Baker, "The Oath of Purgation"; Wallach, *Diplomatic Studies*, pp. 295–352; Hageneder, "Das crimen maiestatis."

⁷¹ For an overview of the survival of Carolingian manuscripts, see Bischoff, "Die karolingische Minuskel," and Bischoff, "Panorama der Handschriftenüberlieferung." On the manuscripts from Bavaria more particularly: Bischoff, *Die südostdeutschen Schreibschulen*.

⁷² The edition provides a preliminary sense of the manuscripts. There are also comments in de Clercq, *La législation religieuse*, pp. 250–1 and McKitterick, *The Frankish Church*, pp. 21–43.

⁷³ In addition to the comments in the edition, see de Clercq, *La législation religieuse*, pp. 232–49.

interesting elsewhere, and conversely, the Bavarians were interested in religious reform undertaken elsewhere, as were the Franks, Lombards, and so on. For example, parts of the Council of Friuli are preserved in Munich, Bayerische Staatsbibliothek, Clm 14468, a manuscript written in 821 for Baturich, Bishop of Regensburg and Abbot of Saint-Emmeram, but also in a Frankish codex now preserved in the Vatican, Biblioteca Apostolica Vaticana, Vat. Lat. 3827 (and its early modern copy Vatican, Biblioteca Apostolica Vaticana, Reg. Lat. 1041).⁷⁴ This demonstrates that it is not only the Bavarians who were keeping track of religious reform texts. Note that both medieval manuscripts contain texts of general interest to the Carolingians and not specifically Bavarian material. The Munich manuscript in particular is focused on issues surrounding Adoptionism, obviously a matter of general concern in the late eighth/early ninth centuries.⁷⁵

Another regional council from Charlemagne's reign that did not take place in Bavaria proper is the *Conventus ad ripas Danubii*, which is the missionary council we considered earlier. This text survives in a Salzburg manuscript now in Vienna (Vienna, Österreichische Nationalbibliothek, 458). The manuscript contains a variety of theological works: In addition to the council record, there are texts on the grades of the church, on the ages of the world, and other issues. Also to be noted is the inclusion of several texts by Alcuin, a close confidant of Arn of Salzburg.⁷⁶ While the manuscript is Bavarian it does hint at the broad horizons of a bishop closely linked to Charlemagne: Works of Alcuin, Paulinus' council about the Avars, and a variety of other texts also common in Frankish manuscripts are all to be found here. These manuscripts are thus evidence of the important role of Bavaria in transmitting texts, but also of the extent to which the Carolingian empire, at least at its highest levels, was a partially unified cultural community. The survival of many records from Bavaria thus cannot be seen as a sign that only Bavarian materials were preserved.

We also know of some Frankish regional councils from Louis the Pious' reign,⁷⁷ suggesting that if such regional councils had been held and produced canons during Charlemagne's reign, they too would have been preserved or at least made reference to in other sources. One would

⁷⁴ On these manuscripts see Mordek, *Bibliotheca*, pp. 335–9 on the Munich manuscript (and also Bischoff, *Die Schreibschulen*, part 1, p. 200) and pp. 858–63 on the Vatican manuscripts. Note that both are capitulary manuscripts.

⁷⁵ See further Note 42. For further examples of contact and moving of texts between Francia and Bavaria, see Phelan, "The Carolingian Renewal."

⁷⁶ On this manuscript see *Tabulae codicum manu scriptorum*, vol. 1, p. 75; the catalogue identifies the synod as "dictatus" de baptisate.

⁷⁷ See the survey in W. Hartmann, *Die Synoden*, pp. 153–96.

ideally like to know if these regional councils under Louis had broad or specific agendas, but the point here is simply that we do know of their existence (and there is no reason to assume one kind of regional council would have a favored survival over another, at least in general terms). This point demonstrates that there was some preservation of Frankish regional councils, and thus that we must account for the Bavarian examples of regional councils under Charlemagne, and not assume the weight of the evidence on Bavaria is entirely a reflection of the preservation of Bavarian texts. In sum, the manuscript evidence, the hints of lost councils, and councils from the reign of Louis reveal that not only Bavarians recorded regional councils, and that an interest in reform was shared throughout the empire, an interest which is reflected in the surviving manuscripts and narrative evidence of councils.

The two Bavarian meetings run by Arn we began with provide the clearest precedent for what was undertaken in Gaul in 813. In a Bavarian context, such meetings may have been a continuation of earlier initiatives, but in a Frankish context they provide a model for the holding of regionally based councils that addressed the state of the church generally, not just specific issues. The Bavarian councils were convened in, probably, the years around 800, providing ample time for the precedent to become known in Francia.⁷⁸ The idea of holding such general, regional meetings may have been suggested to the court by Arn of Salzburg, who is the only individual we know of who participated in both the Bavarian and the 813 meetings.⁷⁹ If Arn is indeed the author of an anonymous synodal *ordo* than his particular interest in the holding of councils becomes even clearer.⁸⁰ We should note that the precedent the Bavarian meetings provided is a conceptual one. This is not a question of direct borrowing of language; moreover, the themes addressed in both Bavaria and Francia depend on the interests set out first in the *Admonitio generalis* in 789.⁸¹ There are thus similarities in content between the Bavarian and 813 regional general reform councils, but there is no evidence to suggest

⁷⁸ See Note 24 on the dates of these councils.

⁷⁹ Arn took part in both Bavarian councils and in the Council of Mainz in 813 (*Conc.* II, introduction, p. 259). On the participants at Mainz, see also W. Hartmann, *Die Synoden*, pp. 130–1. The councils do not provide a full list of participants, so it is possible there were other personnel overlaps, but Arn is the only person we can securely document at both the Bavarian and 813 regional reform councils. On the lack of full subscription lists in Carolingian councils, see W. Hartmann, “Unterschriftslisten.” On Arn’s particular initiative in holding councils, see Pangerl, *Die Metropolitanverfassung*, p. 257.

⁸⁰ *Ordines de celebrando concilio*, ed. H. Schneider, text is edited on pp. 331–42, with discussion on pp. 55–7 and 329–31.

⁸¹ On the dependence of the 813 councils on the *Admonitio generalis*, see Glatthaar, in *AG*, pp. 135–9. See further Note 26.

that the Frankish bishops had the Bavarian records in front of them when they held their own councils. The Bavarians may have suggested certain topics for discussion in 813, but this is usually a matter of subject rather than verbatim citation.⁸² The argument here is that the idea of using such regional meetings to address general reform issues was borrowed from Bavaria, and most likely mediated by Arn. The borrowing is a matter of treating general issues of reform in a regional context, with the agenda of such meetings set by the king in the *Admonitio generalis*. The immediate model for the great convocation of regional reform councils in 813 is thus Bavarian, not Frankish.⁸³

While the lack of Frankish examples of regional reform councils might at first be surprising, there are reasons to explain this. Such regional councils would be typically convoked by a metropolitan, an office which was in the process of being renewed and refocused during Charlemagne's reign.⁸⁴ Furthermore, the basic episcopal hierarchy was in transition, and there were frequent vacancies in many bishoprics.⁸⁵ The Frankish episcopate was not necessarily in a position to be holding regional-level councils for much of this period,⁸⁶ despite the legislation

⁸² Pokorny has suggested that chapters 44 and 46 of the Council of Mainz (*Conc.* II, pp. 271 and 272 respectively) depend on the episcopal capitulary *Capitula Bavarica*, cc. 4 and 13 (*CEP* III, pp. 196 and 198). For Pokorny's discussion (and the possibility that the episcopal capitulary could potentially stem from a synodal setting) see *CEP* III, p. 191. On 813 borrowing from Bavaria and Arn, see also Diesenberger, "How Collections Shape the Texts," p. 200. I would like to thank Max Diesenberger for advice on this point.

⁸³ Abigail Firey has argued for seeing some of the 813 councils as another locus of borrowing, namely, as a way of introducing ideas about penance developed on the Eastern frontiers to the rest of the empire. For her discussion of learning at councils, see Firey, *A Contrite Heart*, p. 195. However, it is difficult to see these ideas as specific to a frontier region, rather than emerging from much wider concerns about penance.

⁸⁴ The process is fully charted in Pangerl, *Die Metropolitanverfassung*, especially chapter 5, and pp. 152–5 on Charlemagne's role in prompting reform. While still stressing the slow process of change, Patzold puts less emphasis than Pangerl on royal direction and focuses instead on the role of the episcopate itself and its negotiation for status internally. See Patzold, "Eine Hierarchie im Wandel."

⁸⁵ I would like to thank Rosamond McKitterick for bringing this point to my attention; the inferences I draw from it are my own. It should be noted as well that this task of reforming the Frankish episcopate had a long history before the *Admonitio generalis*. See, for instance, Ewig, "Saint Chrodegang."

⁸⁶ A point buttressed by some of the rather basic components of episcopal behavior the king felt the need to announce to his bishops; for example, *Capit.* I, no. 22, c. 41, p. 56; also ed. *AG*, c. 41, pp. 200–2, which I cite here: "Episcopis. Item in eodem, ut non liceat episcopo *principalem cathedram* suae parrochiae negligere *et ad aliquam ecclesiam in suo diocese magis frequentare*." Of course, such obvious commands were combined with more demanding ones, for example, *Capit.* I, no. 77, c. 1, p. 170, cited in [Chapter 1, Note 188](#). The amount of time it would require for renewed metropolitans to begin to hold councils is also noted by Pangerl, *Die Metropolitanverfassung*, p. 252.

calling for such councils.⁸⁷ We get another hint about why such councils might have taken place in Bavaria and not in Francia from the Bavarian reform records when they (and the Council of Friuli) present themselves as an effort to enact locally what the king decided for the empire as a whole.⁸⁸ The reform efforts promulgated regionally in Bavaria were thus promulgated directly by the king in Francia.⁸⁹ The only evidence we have for clear efforts to implement the broad reform program of the *Admonitio generalis* via regional councils devoted solely to this issue is in Bavaria, at least until 813.⁹⁰ All of this demonstrates that the Bavarian councils served as a precedent for the later meetings, but cannot definitively prove that they were a precise or conscious model. Yet, as we will see, there are enough examples of particular aspects of rulership appearing in conquered regions before they show up in Francia to constitute a pattern.

The claim that regional reform councils were borrowed from Bavarian practice does not imply that there was no Frankish interest in pursuing reform regionally before 813, or that this way of doing things emerged solely from Carolingian pressure. First, as I have just noted, there were other ways of making known the reform program of the *Admonitio generalis*, and these were indeed pursued throughout the realm.⁹¹ Second, such local activity was both a fulfilling of a royal program as well as an indigenous initiative, and thus was a matter of cooperation not force. Finally, the use of regional councils this way was hardly a Carolingian innovation.⁹² The point is simply that during Charlemagne's reign such a method

⁸⁷ On this legislation, see Pangerl, *Die Metropolitanverfassung*, pp. 169–71, 257–8.

⁸⁸ *Concilia Rispacense, Frisingense, Salisburgense, Conc. II*, heading for section A, p. 206, and text one in section B, pp. 213–14 (now re-edited as *Karoli regis capitula ad Arnonem archiepiscopum Salisburgensem directa* (ed. Mordek, *Bibliotheca*, pp. 974–5), and preface to the council, ed. Werminghoff, “Zu den bayrischen Synoden,” pp. 42–4; *Concilium Rispacense, Conc. II*, document A, p. 196; *Concilium Foroiuliense, Conc. II*, pp. 179–80. Paulinus also asked Charlemagne to make known his regional decisions throughout the empire: Paulinus, *Epistolae variorum*, no. 15, here p. 520.

⁸⁹ This is also the conclusion of de Clercq, *La législation religieuse*, p. 250, albeit reached from a different angle.

⁹⁰ See McKitterick, *The Frankish Church*, especially pp. 12–13 on how 813 marked a transition in efforts to reform the Carolingian church.

⁹¹ The ways in which this was done is the narrative told in McKitterick, *The Frankish Church*.

⁹² In broad terms, the conciliar tradition was well established long before Charlemagne. The Visigothic precedent was of particular importance in influencing the Carolingians. The literature on this topic is extensive, but the basic relationship is set out clearly enough in G. Brown, “Introduction: The Carolingian Renaissance,” pp. 2–3. There is also much information on conduits of connection between Spain and Francia in A. Freeman, “Theodulf of Orléans: A Visigoth.” There had been plenty of regional councils in the past, but there are no compelling, relatively contemporary precedents that would have been available to the Carolingians.

of exporting reform into the localities was attempted in a conquered region before similar efforts were made in Francia, so far as we can see from the surviving records. The reform program may have been undertaken consistently since 789, but the tactics employed to achieve the desired ends developed over time.⁹³ As this reform program matured, techniques used only in the conquered regions came to be advantageous at home as well.

Case study 2: community-based testimony and royal power

One could learn interesting techniques of rulership not just in Bavaria, but also in Italy.⁹⁴ In his seminal review article surveying scholarship on Charlemagne Donald Bullough wrote: “Any future account of the *regnum Langobardorum* under Charles the Great ... should certainly consider how much it may have contributed to the development of Carolingian administration as a whole.”⁹⁵ Bullough made this point in 1970, but his call for detailed attention to the place of Italy in Charlemagne’s governance has gone largely unheeded. Part of the reason for this is the recent lack of attention to Charlemagne by political historians.⁹⁶ A more compelling reason is the continued divergence in perspective between Italian and Carolingian historiographies. Where those writing from a Carolingian perspective tend to argue that Italy gradually became more Frankish, those writing from an Italian perspective usually downplay the impact of the Carolingian takeover of Italy, arguing that the incorporation of Italy in the Frankish world had little effect on Italy.⁹⁷ The fissure in the scholarship remains even though there is now an

⁹³ For an overall survey for the reign of Charlemagne, see de Clercq, *La législation religieuse*, pp. 156–249.

⁹⁴ For a different perspective on borrowing from Italy, see Pohl, “Invasions and Ethnic Identity,” p. 29. Shigeto Kikuchi is also preparing an article on how important Italy was for Charlemagne’s political practice. As the article is in Japanese, it is not accessible to me, but I would like to thank Shigeto for discussing some of his ideas with me.

⁹⁵ Bullough, “*Europae Pater*,” p. 96.

⁹⁶ See discussion in the [Introduction](#), pp. 14–15, for the scholarly focus on other Carolingians. There has been more attention to creative fusion in terms of cultural and religious developments; see, for instance, the essays in Bertelli and Brogiolo (eds.), *Il futuro dei Longobardi*, vol. 2. The need for work on the political links has been noted, for instance by Fasoli, *Carlo Magno e l’Italia*, chapter 3.

⁹⁷ See Notes 8 and 9 for references. For this argument in a specifically legal context, see Padoa Schioppa, “Giudici e giustizia,” pp. 1623–4.

extensive body of literature by scholars whose work spans the Alps or who use methodologies derived from one context to study the other.⁹⁸

Italy in fact had a profound impact on how Charlemagne ruled.⁹⁹ This is particularly evident in three contexts. The first context is the way in which the conquest of Italy in 773–4 is the first clear moment where we can see Charlemagne break with tradition, and rule in an innovative manner, as we will see later.¹⁰⁰ The second context in which Italy had a significant effect on how Charlemagne ruled is as an example of the balancing of central and regional power, of how the king insisted on royal authority and yet nuanced it to local circumstance. We have explored some examples of this kind of regional differentiation in the [previous chapter](#). The third context in which Italy helped shape Charlemagne's rule in Francia is as a venue in which to experiment. As we just saw with the Bavarian example, Charlemagne and his men used Italy as an arena for political experimentation, as a place to try out new tools of rulership. In order to further explore this pattern of experimentation in conquered regions, I would like to examine two cases studies from Italy, namely, the use of the judicial inquest and the development of capitulary legislation.

In the same article in which he laid out the need to consider Italy's impact on the Frankish North, Donald Bullough noted a possible case of legal practice that the Carolingians borrowed from the kingdom of Italy.¹⁰¹ This legal practice is the judicial inquest.¹⁰² Before we can explore how and why the Carolingians borrowed the judicial inquest, we need to address some basic definitional problems and some quandaries of legal history. An inquest, on the simplest level, is a method of gathering information from a local population. Historians distinguish various types of inquest: For instance, a criminal inquest is a way of having incidents such as murder or theft announced to a governing power so that such crimes can be prosecuted.¹⁰³ The later inquest in

⁹⁸ To give just a few examples, one could point to Costambeys, *Power and Patronage*, and to the work of Chris Wickham.

⁹⁹ For the material context of the Carolingians in Italy, see the exhibition catalogue *Carlo Magno a Roma*.

¹⁰⁰ See [Chapter 8](#), pp. 407–12. ¹⁰¹ Bullough, “*Europae Pater*,” pp. 92–6.

¹⁰² Key bibliography includes: H. Brunner, “Zeugen- und Inquisitionsbeweis”; Bougard, *La justice*, pp. 194–203; Bullough, “*Europae Pater*,” pp. 92–6; Nelson, “Dispute Settlement,” pp. 60–1 (pp. 67–8 in the reprint); and Collins, Fouracre, and Wickham, “Conclusion,” pp. 220–1 (from the section by Fouracre).

¹⁰³ For an example of such a criminal inquest, see *Capit.* I, no. 91, c. 8, p. 192–3: “Iudex unusquisque per civitatem faciat iurare ad Dei iudicia homines credentes iuxta quantos previderit, seu foris per curtes vel vicoras ibi mansuros, ut, cui ex ipsis cognitum fuerit id est homicidia, furta, adulteria et de inlicitas coniunctiones, ut nemo eas concelet. Et hoc damus in mandatis, ut si quis venerit iustitias reclamare super quempiam hominem, dicendo de homicidia, furta aut de praeda, et ille super quem dixerit denegare voluerit,

the context of heresy was a tool for interviewing local populations about the religious beliefs of their neighbors.¹⁰⁴ The inquest was to have a long history in medieval Europe, in contexts as varied as Domesday Book and jury procedures in England, and Saint Louis' *enquêtes* in France.¹⁰⁵ In the early Middle Ages, however, we can distinguish three types of inquest: A criminal inquest, as noted earlier; a judicial inquest, or interviewing of local witnesses in the context of legal disputes; and a fiscal inquest, or recording of the economic rights of, usually, an institution.¹⁰⁶ The criminal inquest can be most easily dispatched with for our purposes as it creates no confusion with other types of inquest.¹⁰⁷ What I am interested in here is the judicial inquest. The best definition of a judicial inquest remains that of Ganshof, who characterized it as a calling of local independent witnesses by the head of the court (that is, not by the parties themselves), who usually were sworn witnesses and whose testimony was usually recorded in direct speech.¹⁰⁸ The line between such a judicial inquest and a fiscal inquest is not always clear: If the case in question involves testimony as to some kind of fiscal rights, it can be debated how we might classify it.¹⁰⁹ As the purpose of this discussion is to consider ways of interviewing witnesses in court cases, I will include any case in which independent witnesses were called regardless of whether they testified to fiscal issues or not.¹¹⁰

In order to trace the spread of the inquest, we do need to decide which cases constitute examples thereof. However, defining a judicial inquest raises several further problems. First of all, we are not dealing here with a

tunc ille qui reclamavit si potuerit approbet illud; et si forsitan ipse non potuerit approbare, et ipse super quem dicit negaverit quod malum ipsum nec ipse nec homines ipsius perpetrassent, et posuerit excusationem et dixerit: 'nomina michi homines meos qui tibi malum illum fecerunt; ego tibi de illos iustitias facio', et ille incognitus qui reclamavit et nomina de illos homines non scit et nec approbare potest, et ipsi qui exinde sic veritatem sciunt denegare voluerint, et ille qui reclamavit dixerit: 'quia homo ille exinde scit veritatem', tunc iudex ille qui in loco ipso est faciat iurare homines illos, quilibet sint, Francos aut Langobardos, quod ipse nominative dixerit, et dicant exinde veritatem; et si credentes homines fuerint, in manus comiti sui dextrent. Et si latrocinia vel furta aut preda ipsa inventa fuerit, emendetur iuxta ut eorum est lex, ut populus hic habitantibus aut advenientibus in pace vivere valeant."

¹⁰⁴ Perhaps the most famous example is from the French village of Montaillou: Le Roy Ladurie, *Montaillou*.

¹⁰⁵ Many of the possible contexts are explored in Gauvard (ed.), *L'enquête au moyen âge*.

¹⁰⁶ Nelson, "Dispute Settlement," pp. 60–1 (pp. 68–9 in the reprint); H. Brunner, "Zeugen- und Inquisitionsbeweis," especially pp. 349–51 (pp. 92–4 in the reprint).

¹⁰⁷ Ganshof, "La preuve," p. 95. ¹⁰⁸ Ganshof, "La preuve," pp. 97–8.

¹⁰⁹ An example is the Hammelburg case discussed on pp. 272. On fiscal inquest generally, without the distinctions I draw here, see H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 404–20 (pp. 147–63 in the reprint).

¹¹⁰ See also Esders, "Die römischen Wurzeln"; some of his cases I would consider potential judicial inquests, others not.

legal society particularly focused on rules:¹¹¹ Most Carolingian court cases do not evince much interest in defining the niceties of procedure.¹¹² Norms governing disputes, as a huge and growing body of scholarship has noted, were flexible and constantly open to manipulation.¹¹³ Given the limited corpus of available cases, trying to extrapolate from varied records of practice to a set of regulations is an often futile exercise. Even the records of actual practice we do have present problems. If not all the features of a traditional inquest are present, when do we count the procedure as having taken place? Ganshof argues that the calling of independent witnesses is the defining feature of an inquest, but then he does not always seem to follow this principle in his own classification of cases.¹¹⁴ Much more importantly, there are problems in interpreting the cases themselves. It is unclear in many records who exactly the witnesses were: Were they people called by the parties to support their version of events, or independent witnesses called by the court?¹¹⁵ The difference matters in an effort to understand the nature of an inquest, but the similar treatment of all witnesses, regardless of who called them, obscures their allegiance.¹¹⁶ It is also common for men noted as sitting with the head of the court in judgment on the parties to offer testimony: How are these witnesses to be understood?¹¹⁷ Similar difficulties in untangling the status of witnesses, who called them, what they were meant to do, and so forth, were typical of the early medieval world, from England to Brittany.¹¹⁸ The particular problems of identifying the status of witnesses in Carolingian records are only compounded by other changes in just this period in how testimony was used in court. The early Carolingian era saw an increased reliance on testimony to settle cases, and sometimes new rules about which parties in court cases could

¹¹¹ Compare H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 502–3 (pp. 244–5 in the reprint) who sees the inquest itself as helping change the formal character of early medieval legal practice. I think this is a difference between the legal culture of the Carolingians and earlier Germanic practice that could usefully be further investigated.

¹¹² This is particularly true of documents which survive only as *notitiae*, such as TF no. 288, p. 251.

¹¹³ On dispute settlement, see references in the [Introduction](#), p. 15.

¹¹⁴ Bullough, "*Europae Pater*," pp. 92–3.

¹¹⁵ For example, *I Placiti*, ed. Manaresi, no. 5, pp. 11–14, where at least one witness seems to be called by the judges.

¹¹⁶ For one such unclear example, see *I Placiti*, ed. Manaresi, no. 2, pp. 3–5, where one of the witnesses interviewed by the court is also listed as judge. How then do we classify his role?

¹¹⁷ As in the case in [Note 116](#).

¹¹⁸ For example, on England, see Wormald, "Charters, Law and the Settlement of Disputes," p. 154 (pp. 294–5 in the reprint); on Brittany, see W. Davies, "People and Places," pp. 78–81; and for some general observations, Collins, Fouracre, and Wickham, "Conclusion," pp. 220–3 (from the section by Fouracre).

present witnesses.¹¹⁹ In general, scholars should distinguish analytically what the great legal historian Brunner called an *inquisitio per testes*, which is an inquest in the sense of calling independent witnesses, and an *inquisitio testium*, which is the interviewing of witnesses brought by the party(ies) to the case, although contemporaries did not draw such distinctions.¹²⁰ Thus, we must contend with an often unclear description of witnesses in court records, a possible confusion among forms of the inquest, and more wide-ranging changes in the use of witnesses that can muddy efforts to study one aspect of using witnesses.

The normative sources do not offer much help in resolving these problems. Whether or not such normative regulations were ever carried out in practice is a constant question when one is using the national laws or the Carolingian capitularies as sources. The more pressing issue, however, in using normative law as evidence for the spread of the inquest during Charlemagne's reign is that there is very little to use.¹²¹ Charlemagne and his men were deeply interested in many aspects of judicial reform, the roles of testimony in court among them.¹²² There is indeed capitulary legislation on oaths, on the expectations of legal knowledge, and on the giving of testimony.¹²³ However, the regulations on testimony do not clearly specify a set of procedures that needed to be employed in court cases. This is largely due to the nature of the capitularies as a legal source. As we have seen, the capitularies do not constitute a law code meant to summarize legal practice in the Frankish world. They more frequently contain instructions stemming from particular concerns at particular moments and cannot be generalized without further information. Moreover, the evidence on testimony that we can find in the capitularies emphasizes some basic principles for the giving of justice (such as the need for honesty and probity of witnesses), rather than instructions for holding court.¹²⁴ The clearest statement on testimony of

¹¹⁹ Ganshof, "La preuve," pp. 81–92.

¹²⁰ For example, H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 366, 402–3 (pp. 110, 146–7 in the reprint).

¹²¹ See also Bougard, *La justice*, p. 197.

¹²² See overview in Ganshof, *Frankish Institutions*, pp. 71–86.

¹²³ For example: On oaths: *Capit.* I, no. 35, c. 39, p. 104; on court cases: *Capit.* I, no. 57, c. 4, p. 144; on testimony: *Capit.* I, no. 61, c. 6, p. 148.

¹²⁴ For an example of legislation on testimony: *Capit.* I, no. 44, c. 11, p. 124: "De periuriis ut caveantur, et non admittantur testes ad iuramentum antequam discutiantur; et si aliter discuti non possint, separentur ab invicem et singulariter inquirantur. Et non solum accusatorem liceat testes eligere, absente suo causatore. Et omnino nullus nisi ieiunus ad iuramentum vel ad testimonium admittatur. Et ille qui ad testimonium adducitur, si refutatur, dicat ille qui eum refutat et probet, quare illum recipere nolet. Et de ipso pago, non de altero, testes elegantur, nisi forte longius extra comitatum causa sit inquirenda. Et si quis convictus fuerit periurii, manum perdat aut redimat."

which I am aware in Charlemagne's capitularies encourages counts and *missi* to be careful in choosing local witnesses and to select the best possible witnesses.¹²⁵ That is, the capitulary chapter seems to assume the use of local people as witnesses, who would be chosen by those sitting in judgment, namely, the counts and *missi*, and thus the chapter seems to assume at least the possibility of an inquest.¹²⁶ There are only a few direct references to the inquest in the ninety-some capitularies issued by Charlemagne, none of which is especially extensive.¹²⁷ There is thus nothing in Charlemagne's capitularies which lays out rules for either the inquest in

¹²⁵ *Capit.* I, no. 80, c. 3, p. 176: "Ut quodcumque testes ad rem quamlibet discutiendam quaerendi atque eligendi sunt, a misso nostro et comite in cuius ministerio de rebus qualibuscumque agendum est tales eligantur, quales optimi in ipso pago inveniri possunt. Et non liceat litigatores per praemia falso testes adducere, sicut actenus fieri solebat."

¹²⁶ Compare H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 361–2 (pp. 104–5 in the reprint) who thinks the regulation only refers to inquests sometimes, and at other times to the choice of witnesses by the parties.

¹²⁷ The clearest reference is: *Capit.* I, no. 102, c. 12, p. 210: "Volumus etiam atque iubemus, ut comites et eorum iudices non dimittant testes habentes mala fama testimonium prehibere, sed tales eligantur qui testimonium bonum habeant inter suos pagenses; et primum per ipsos iudices inquirantur, et sicut ab illis rectius inquirere potuerint, ita faciant, non voluntas malorum hominum assensum praebentes. Ut et ipsi comites vel eorum iudices, quos noverunt causa de qua inter eos agitur comperta esse, sine blandimento ipsius qui causam habet faciant ad eandem causam venire, et per eorum inquisitionem fiat definita. Et iubemus, ut testimonia ab invicem separentur, sicut lex iubet; quia, si ita agant, multi falsi testes possunt convinci." Other relevant passages that could refer to an inquest, as well as to other ways of using testimony, include: *Capit.* I, no. 44, c. 11, p. 124, as cited in Note 124; *Capit.* I, no. 52, c. 3, p. 139: "Ut nullus testes mittere in iudicium praesumat, sed comes hoc per veraces homines circa manentes per sacramentum inquirat, ut, sicut exinde sapiunt, hoc modis omnibus dicant." (Compare H. Brunner, "Zeugen- und Inquisitionsbeweis," p. 360 [p. 104 in the reprint], who considers this to refer to an ordeal); *Capit.* I, no. 72, c. 6, p. 163: "Iterum inquirendum, quomodo seculum reliquisset, qui cupiditate ductus propter adipiscendas res quas alium vidit possidentem homines ad periuria et falsa testimonia praecio conduct, et advocatum sive praepositum non iustum ac Deum timentem sed crudelem ac cupidum ac periuria parvipendentem inquit, et ad inquisitionem rerum non qualiter, sed quanta acquirit."; *Capit.* I, no. 87, c. 2, p. 186: "Ut de rebus earum [churches] inquisitio a nobilioribus homines circummanentibus fiat." An inquest procedure also seems to be assumed in Ghaerbald of Liege's (supposed) first capitulary: *CEP* I, c. 17, p. 20: "Ut, qui possessionem ecclesiae vel parrochiam per triginta annos sine alicuius interpellatione tenuerit, iure perpetuo possideat. Si vero inde crebro repetitum fuerit, fiat diligens inquisitio et si eum, qui repetit, iuste quaerere patuerit adhibitis veracibus et nobilibus testibus, quod repetit, confirmando vindicet." It is often unclear what these references mean in procedural terms (see also Bougard, *La justice*, p. 197), but the citations can give a sense of the type of concerns about witnesses expressed during Charlemagne's reign. A full discussion of the capitulary legislation can be found in H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 357–69 (pp. 100–12 in the reprint). Brunner often attempts to draw distinctions between the different procedures foreseen in the laws. I think the capitulary evidence is best read for the overall concern about witnessing rather than for strict rules for running cases. I am also not sure we can posit a direct link between the rethinking of the oath in 802 and the inquisition process during the reign of Charlemagne, as do, for example,

particular or testimony more broadly.¹²⁸ What Charlemagne's capitularies reveal is a concern with justice, flexibility in the application of different methods for achieving justice, and more concern with meeting the immediate needs of the moment than with defining appropriate procedures.

The lack of normative regulation on the inquest during the reign of Charlemagne points to two conclusions we should emphasize. First of all, as I have already noted, we cannot read back to the reign of Charlemagne the later history of the inquest. The inquest was to have a long future in medieval Europe, but we should not try to locate the later features of the procedure in the early evidence. The need to not read back later evidence also applies for the rest of the Carolingian period. Even the legislation from the reign of Louis the Pious cannot be pushed back to his father's lifetime.¹²⁹ The often remarked-upon increase in reliance on the inquest during Louis' reign was part of a shift during

Esders and Mierau, "Die bairischen Eliten," p. 308. The conceptual connection is clear, but the details require further investigation.

¹²⁸ Compare H. Brunner, "Zeugen- und Inquisitionsbeweis," p. 366 (pp. 109–10 in the reprint), who similarly notes the limited legislation but interprets it more in terms of moral concern about witnesses rather than in terms of slow judicial change, as argued here.

¹²⁹ Louis the Pious' legislation on inquest includes: *Capit.* I, no. 141, c. 2, p. 289: "Volumus autem ut de his libertatibus et rebus reddendis quae in nostra vestitura sunt primo per optimos quosque inquiratur; et si per illos inveniri non possit, tunc per eos qui post illos in illa vicini meliores sunt; et si nec per illos rei veritas inveniri potest, tunc liceat litigantibus ex utraque parte testes adhibere; et si discordaverint, secundum constitutionem a nobis promulgatam examinentur."; *Capit.* I, no. 144, c. 1, p. 295: "Ut pagenses per sacramenta aliorum hominum causas non inquirantur nisi tantum dominicas. Ad tamen comes ille, si alicuius pauperis aut inpotentis personae causa fuerit, tunc comes ille diligenter, et tamen sine sacramento, per veriores et meliores pagenses inquirat."; *Capit.* I, no. 148, c. 2, p. 300: "De rebus sive mancipiis, quae dicuntur a fisco nostro esse occupata, volumus ut missi nostri inquisitionem faciant sine sacramento per veriores homines pagi illius circummanentes, et quicquid de hac causa verius ac certius investigare potuerint ad nostram faciant pervenire notitiam, ut nos tunc definiamus, quicquid nobis iustum esse videatur."; *Capit.* I, no. 155, c. 10, p. 315: "De querela Hildebrandi comitis, quod pagenses eius paravereda dare recusant: volumus ut hoc missi nostri ab his hominibus qui in eodem comitatu maneant et ea dare non debent necnon et a vicinis comitibus inquirant; et si invenerint, quod ipsi ea dandi debitores sint, ex nostra iussione dare praecipiant."; *Capit.* II, no. 188, c. 2, p. 10: "Item volumus, ut omnis inquisitio, quae de rebus ad ius fisci nostri pertinentibus facienda est, non per testes, qui producti fuerint, sed per illos, qui in eo comitatu meliores et veriores esse cognoscuntur, per illorum testimonium inquisitio fiat, et iuxta quod illi testificati fuerint, vel contineantur vel reddantur."; *Capit.* II, no. 192, c. 3, p. 15: "Ut in omni comitatu hi, qui meliores et veriores inveniri possunt, eligantur a missis nostris ad inquisitiones faciendas et rei veritatem dicendam et ut adiutores comitum sint ad iustitias faciendas." Compare H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 357–69 (pp. 100–12 in the reprint), and see [Note 127](#) for his approach to the capitulary legislation.

his reign away from the use of *placita* as a method of recording cases resolved in a royal charter.¹³⁰ Instead, Louis settled disputes by edict, relying on investigations by the *missi*, which often did employ the inquest.¹³¹ This alteration in judicial practice, which has been variously interpreted by scholars, is one among many changes in justice and administration that marked the transition from Charlemagne to Louis the Pious. It coincided with Louis' transformation of immunity grants, which, among other developments, now often came with a provision allowing immunists to conduct inquests to secure their property.¹³² As with the shift away from *placita*, this change is not evident until the start of Louis' reign.¹³³ The consequence for us is that we cannot, without good supporting evidence (which I do not think we have in this case), use legislation from the reign of Louis to understand the inquest during the reign of Charlemagne.

The corollary of this point is that we also cannot read evidence forward. It is usually assumed that the inquest is a royal prerogative. This is argued because it is claimed that the inquest was a royal tool in the Lombard world, and then that it was under royal control later in the Carolingian period.¹³⁴ However, even if the inquest was royal at some point in the Carolingian era, that does not mean it was used in the same way by every Carolingian. The later Carolingian practices do suggest that kings controlled the procedure, and delegated its use to religious institutions.¹³⁵ The numerous royal charters that grant permission to institutions to run an inquest, the legislation laying out some policies for when inquests could be employed, and the typical use of the procedure by royal agents all imply that in the later Carolingian period kings controlled, or tried to control, the use of the inquest.¹³⁶ But if we do

¹³⁰ On the change in judicial process under Louis, see Stiedorf, "Zum 'Verschwinden'"; Depreux, "L'absence de jugement."

¹³¹ For instance, *PL* 104, col. 1164; Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, no. 841.

¹³² For multiple Italian examples, where they are especially common, see Bougard, *La justice*, pp. 198–9.

¹³³ Bougard, *La justice*, pp. 197–201; H. Brunner, "Zeugen- und Inquisitionsbeweis," p. 424 (p. 166 in the reprint); Ganshof, "La preuve," pp. 95–6, with somewhat different dating; Weitzel, *Dinggenossenschaft und Recht*, pp. 357, 392–416.

¹³⁴ For example, Drew, "The Immunity in Carolingian Italy," especially pp. 187, 189. On the assumption of a royal monopoly: For instance, H. Brunner, "Zeugen- und Inquisitionsbeweis," p. 403 (p. 147 in the reprint).

¹³⁵ Ganshof, "La preuve," pp. 96–7.

¹³⁶ The reign of Lothar I can provide an example. See, for instance, his charter making a decision after an inquest: *Die Urkunden Lothars I. und Lothars II.*, ed. Schieffer, document no. 116; his charter giving Bergamo the right to conduct inquests (no. 43), with comment in H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 436–7 (pp. 178–9 in the reprint); and some of his legislation on the topic: *Capit. I*, no. 158, c. 3,

not assume these later practices, for which there is no evidence during Charlemagne's reign, apply retroactively, then we have no grounds to claim there was any clearly circumscribed sense of what an inquest entailed before 814. Similarly, the evidence for the inquest as a royal procedure in the Lombard period is thin at best. We have only a few Lombard cases, a point to which we will return later. The clear Lombard cases were run by royal *missi*. However, almost immediately after the Carolingian conquest the inquest in Italy was also directly employed by other authorities like the duke of Spoleto.¹³⁷ Given the few surviving cases, the speedy use by other powers, and the lack of any normative regulation on the inquest in the Lombard laws,¹³⁸ we cannot assume the procedure to have been solely royal when the Carolingians first encountered it. Thus, refusing to read forward or back the normative evidence on the inquest leaves us, for the reign of Charlemagne, with records of practice. The records of practice have to speak for themselves and not be assumed to fit the few normative frameworks, which in any case do not date from the reign of Charlemagne.

Where do these difficulties leave us? I would argue that the essential feature we should look for in the records is a reliance on community-based testimony, meant to convey the opinions and knowledge of the local population in general, rather than witnesses linked to one party or the other.¹³⁹ Features such as directly quoted testimony often have more to do with the form in which the case was recorded rather than with what happened at the court hearing.¹⁴⁰ And we must admit that there are cases

p. 318: "Volumus ut comites nostri licentiam habeant inquisitionem facere." Whether this is technically an inquest could be debated; see Bougard, *La justice*, p. 201, note 255, arguing that this is not a true testamentary inquest, as the right is given to counts. While royal control over inquests is clearer in this later period, it is not obvious to me that it was impossible for a king to extend the procedure to others beyond the *missi*; see further in this section.

¹³⁷ *I Placiti*, ed. Manaresi, nos. 2, 3, and 4, pp. 3–5, 6–8, and 8–10, respectively.

¹³⁸ The closest reference to an inquest in the Lombard laws is arguably *Edictus ceteraeque Langobardorum leges*, Rothari, c. 368, p. 69: "De camfionibus. Nullus camphio praesumat, quando ad pugnando contra alium uadit, herbas quod ad maleficias pertinet, super se habere, nec alias tales similes res, nisi tantum arma sua, quae conuenit. Et si suspicio fuerit, quod eas occulte habeat, inquiratur ad iudicem, et si inuenta super eum fuerit, euellantur et iacentur. Et post istam inquisitionem tendat manum ipse camfio in manum parentes aut conliberti sui, ante iudice satisfaciens dicat, quod nullam talem rem quod ad maleficias pertinet, super se habeat; tunc uadat ad certamen."

¹³⁹ Compare Bougard, *La justice*, p. 195, who emphasizes the mechanisms of proof.

¹⁴⁰ On the format of dispute records, in particular the *placitum*, see Bautier, "La chancellerie," pp. 67–72 (pp. 523–8 in the reprint); Bresslau, *Handbuch der Urkundenlehre*, vol. 1, pp. 380–1; Classen, *Kaiserreskript und Königsurkunde*, pp. 184–7; Giry, *Manuel de diplomatique*, pp. 713, 721; Tessier, *Diplomatique royale française*, pp. 14, 36–8, 58, 71.

we cannot fully classify, where the forms of testimony are simply unclear from the records.¹⁴¹ We have also undoubtedly lost many records that could have shed light on judicial practice.¹⁴² The evidence available to us, however, suggests that the calling of witnesses by court leaders is the feature we should emphasize. In particular, we might look for the calling of local neighbors, rather than high status people who also played a role in judging cases. This is because the feature of the Carolingian records that seems to entail the clearest innovation and to evoke the most attention from contemporaries is the control over witnesses by court leaders of varying status themselves.¹⁴³ In concert with increasing use of testimony in many forms and with increasingly directive court leaders, the calling of witnesses selected by the court leaders is a clear development in early medieval legal practice. Understood in this broad sense, the calling of what could be called independent witnesses is the defining feature of a judicial inquest.

Having defined the judicial inquest, admittedly in this loose form, we can now consider its development and spread. The issue of where the inquest developed has occasioned extensive scholarly debate.¹⁴⁴ The earliest clear example of a judicial inquest is in Italy, in the context of a long and convoluted dispute between the bishoprics of Arezzo and Siena.¹⁴⁵ This case occasioned five separate dispute records in the years 714–15, including an inquest of local people conducted by royal *missi*.¹⁴⁶ The second clear case similarly comes from Italy, and was similarly conducted by royal *missi*, this time in 747.¹⁴⁷ These two cases

¹⁴¹ For instance, ChLA 2, no. 154 is a *breve* recording testimony, but who called these witnesses is unclear.

¹⁴² For some important observations on this kind of lost record, see W.C. Brown, "When Documents are Destroyed."

¹⁴³ For court leaders in early medieval Europe, see Collins, Fouracre, and Wickham, "Conclusion," pp. 215–18 (from the section by Fouracre).

¹⁴⁴ The most penetrating discussion of the issue and its problems is still Bullough, "*Europae Pater*," pp. 92–6. I leave aside here the possibility of Roman roots for the institution in favor of discussion of how it was used in the early Middle Ages.

¹⁴⁵ The inquest is edited in CDL I, no. 19.

¹⁴⁶ The earliest record of the case is CDL 1, no. 4. The 714–15 documents are: CDL 1, no. 17; CDL III.I, no. 12; CDL I, no. 19; CDL I, no. 20; CDL III.I, no. 13. There is also a papal confirmation of Arezzo's rights from 752: *Documenti per la storia*, ed. Pasqui, document no. 11, pp. 26–7. The document is *Regesta pontificum romanorum*, ed. Jaffé et al., no. 2307 (1766). The inquest is CDL I, no. 19, as noted earlier. On this dispute, which lasted far beyond the Carolingian period, see Bougard, "*A Vetustissimis Thomis*"; Delumeau, *Arezzo*, vol. 1, pp. 475–87; Everett, *Literacy in Lombard Italy*, pp. 150–3, 189–90; Gasparri, "Il regno longobardo," pp. 5–16; Maroni, *Prime comunità*, pp. 171–93; Paturzo, *Arezzo medievale*, pp. 145–6, 207–8; Webb, *Patrons and Defenders*, pp. 37–9; and discussion in Chapter 4, pp. 222–4. I would like to thank Mike Heil for advice on this case.

¹⁴⁷ CDL V, no. 8.

are the only unquestionable examples of the inquest that predate the reign of Charlemagne. We have undoubtedly lost records and trying to make arguments about numbers of cases is impossible. However, we can make some comments on overall trends in the court records about how testimony was used in both Italy and North of the Alps.¹⁴⁸ The general trajectory is of a common reliance on directly quoted testimony in Italian court cases, sometimes in the form of a judicial inquest (in the loose sense of it I have proposed).¹⁴⁹ The Italians, in contrast to the Franks, regularly and consistently depended on testimony to resolve legal disputes, and often recorded such testimony in direct speech.¹⁵⁰ Once the Carolingians conquered Italy, these techniques of interviewing witnesses became more common in Italian *placita*.¹⁵¹ This is especially evident in Spoleto under the Lombard Duke Hildebrand, as we will discuss later.¹⁵² The techniques were employed by Lombards and also by Franks and Frankish agents working in Italy.¹⁵³ Thus, the Italian side of this story is an expansion of pre-existing Lombard techniques for interviewing witnesses in the context of the Carolingian conquest, with the procedures used both by Lombards and Franks, by those acting in what seem to be purely local circumstances and by those

¹⁴⁸ On the Italian background, see Wickham, "Land Disputes," p. 114 (p. 239 in the reprint).

¹⁴⁹ Cases of directly-quoted testimony of preconquest Lombard court cases include: CDL I, no. 21 (716; Lucca vs. Pistoia); CDL IV.II, no. 16 (742; abbey of Saint-John in the duchy of Benevento vs. laymen); CDL V, no. 13 (747; Farfa vs. laymen); CDL V, no. 20 (753; Farfa and a cleric); CDL IV.II, no. 47 (probably 764; bishop of Benevento and an abbey); CDL II, no. 182 (764; two priests; also edited in ChLA 33, no. 984).

¹⁵⁰ See also the discussion of modes of proof in Bougard, *La justice*, pp. 221–9.

¹⁵¹ I am aware of forty-four cases heard in Italy during Charlemagne's reign there, for which records survive. Of these, thirteen involve judicial inquest, refer to an inquest lying behind the case, or are unclear cases that might involve an inquest. While the precise numbers are not reliable, a rough ratio of 20–25 percent of court cases using judicial inquest during Charlemagne's reign in Italy is a good guess. For an overview of surviving records, see Hübner, "Gerichtskunden der fränkischen Zeit. II. Abtheilung"; and additions in Volpini, "Placiti del 'Regnum Italiae'." For the historiographical and editorial problems posed by this material, see Keller, "I placiti nella storiografia."

¹⁵² The cases using (probably) judicial inquest heard by Hildebrand after the Carolingian conquest are: CDL IV.I, no. 28=*I Placiti*, ed. Manaresi, no. 2, pp. 3–5; CDL IV.I, no. 29=*I Placiti*, ed. Manaresi, no. 3, pp. 6–8 (this case involves land claimed by the bishop but judged to be fiscal. It was nonetheless given to the bishop to return to Farfa on his death, in CDL IV.I, no. 31, a gift confirmed by Charlemagne in DK 146); CDL IV.I, no. 35=*I Placiti*, ed. Manaresi, no. 5, pp. 11–14 (on explicit royal order and confirmed by Charlemagne in DK 146). See also CDL V, no. 90=*I Placiti*, ed. Manaresi, no. 4, pp. 8–10, which was heard by Hildebrand's agents.

¹⁵³ For an example heard by a Frank, see *I Placiti*, ed. Manaresi, no. 14, pp. 38–40, heard by Pippin's count of the palace, Hebroard (who admittedly did not hear the case alone).

obviously working for the king.¹⁵⁴ We must emphasize that the real spread seems to come after the conquest: The practice may have been Italian but it became common in the new circumstances of Carolingian Italy.¹⁵⁵

It also became common in a very particular context in Carolingian Italy, namely, the duchy of Spoleto.¹⁵⁶ The focus of the evidence on Spoleto cannot be explained solely by the nature of the surviving sources. While the register of Farfa documents compiled by Gregory of Catino has shaped our evidence significantly, the Spoletan charters are not the only major collection to survive from early medieval Italy.¹⁵⁷ For instance, there is an extensive series of early medieval charters from Lucca, which demonstrate little interest in the inquest.¹⁵⁸ It is perhaps not an accident that the inquest, a Lombard procedure that only spread widely under Frankish influence, was used so extensively in Spoleto. Spoleto was a Lombard duchy with a long history of independence from the Lombard monarchy.¹⁵⁹ Hildebrand, the duke at the time of the conquest, had been installed when sections of the Spoletan aristocracy, acting in concert with Pope Hadrian, abandoned the cause of Desiderius and began to pursue an independent path.¹⁶⁰ In the wake of the revolt of Hrodgaud, in which Hildebrand may have been involved, Spoleto transferred its loyalty to Charlemagne.¹⁶¹ Hildebrand was succeeded by a

¹⁵⁴ *I Placiti*, ed. Manaresi, no. 18, pp. 58–9, for a royal example, and no. 23, pp. 72–4 (although what precisely occurred here is not entirely clear) for a more “local,” Italian example.

¹⁵⁵ By my counts, out of the thirty surviving dispute settlement records from pre-Carolingian Italy, there were two clear inquest cases and two possible cases. From Italy during the reign of Charlemagne, there were forty-four cases, of which seven clearly used judicial inquest and another six cases are debatable. The precise numbers are unreliable of course, but they can indicate a broad change in frequency. There is a list, counting in different terms, in Bougard, *La justice*, pp. 200–1, note 254. See also [Note 151](#) in this Chapter.

¹⁵⁶ See references in [Note 152](#).

¹⁵⁷ On the preservation of documents in Spoleto, see Zielinski, *Studien zu den spoletinischen Privaturkunden*, especially pp. 25–34; Brühl, “Chronologie und Urkunden”; Costambeys, *Power and Patronage*, pp. 11–19; Boynton, *Shaping a Monastic Identity*, especially chapter 1; Bullough, “The Writing-Office.”

¹⁵⁸ The only Lucca case involving judicial inquest is *I Placiti*, ed. Manaresi, no. 26, pp. 81–4=ChLA 73, no. 50. The case is from 813, and involved royal *missi*. On the Lucca charters in general, see [Chapter 4](#), pp. 235–7.

¹⁵⁹ For basic orientation on Spoleto under the Carolingians, see Costambeys, *Power and Patronage*; and G.V.B. West, “Charlemagne’s Involvement,” both with extensive further references.

¹⁶⁰ Krah, *Absetzungsverfahren*, p. 13; Hlawitschka, *Franken, Alemannen*, pp. 23–4; Costambeys, *Power and Patronage*, especially pp. 301–6; Thomas, “Hildebrand de Spolète”; F. Hartmann, *Hadrian*, pp. 210–21.

¹⁶¹ The suggestion that Hildebrand was involved is due to Pope Hadrian: *Codex Carolinus*, letter 57, pp. 582–3.

Frank named Winigis, who of course needed to work with existing Spoletan circumstance.¹⁶² Spoleto was an area of mixed Lombard/Carolingian tradition, on the border of Charlemagne's Italy.¹⁶³ It is perhaps a consequence both of the existing judicial sophistication of the region, evident in the varied and copious Farfa charters, and the region's location on the boundaries of Lombard, papal, and Carolingian power that prompted use of the inquest.¹⁶⁴ The especially complex circumstances and the mixing of cultures everywhere evident in Spoleto could help generate a context open to innovation.

The use of the inquest in Francia has, as in Italy, occasioned extensive discussion. There are occasional traces of something that might resemble an inquest in early Frankish records.¹⁶⁵ We might therefore claim that it is inadvisable to draw a hard and fast distinction between Italian and Frankish practice.¹⁶⁶ However, rather than looking for exceptional precedents, we are better off looking for general trends. If we search for a consistent trajectory of reliance on community-based testimony, such mechanisms of proof are largely absent from early Frankish records, which depend typically on oaths. It is only during the reign of Charlemagne that procedures we might call judicial inquests (or indeed testimony at all) become common in the Frankish *placita*.¹⁶⁷ Therefore, I would argue that the Franks got used to seeing judicial inquest in action in the Kingdom of Italy, and then began using similar ways of investigating legal cases North of the Alps as well.¹⁶⁸ We do need to try to avoid origin stories: Such a search for the first use ever is dependent on the vagaries of document survival, in addition to the other methodological problems raised by a search for ur-texts of any kind. But by looking at general trends and employing a loose definition of what the inquest entails, I would propose

¹⁶² On Winigis, see G.V.B. West, "Charlemagne's Involvement," pp. 344–50, 362–3; Costambeys, *Power and Patronage*, pp. 67–70.

¹⁶³ On the position of Spoleto, see G.V.B. West, "Charlemagne's Involvement"; Costambeys, *Power and Patronage*.

¹⁶⁴ On Farfa's judicial sophistication, see Costambeys, *Power and Patronage*, pp. 110–31.

¹⁶⁵ For one debatable early example, see *Die Urkunden der Arnulfinger*, ed. Heidrich, no. 23. Some kind of interview process was at work in this case, though the mechanisms are unclear. See also H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 451–2 (pp. 194–5 in the reprint); Bougard, *La justice*, p. 196.

¹⁶⁶ For instance, Nelson, "Dispute Settlement," pp. 60–1 (pp. 68–9 in the reprint).

¹⁶⁷ There are three possible cases, all frankly quite dubious, from the thirty-some Frankish disputes that predate Charlemagne. Conversely, there are over sixty records of cases from the reign of Charlemagne, which includes at least eight clear examples of an inquest, and another six or so debatable cases. The best overview of the records remains Hübner, "Gerichtsurkunden der fränkischen Zeit," parts I and II.

¹⁶⁸ Compare Bougard, *La justice*, p. 197. He is less definitive about origins, but similarly notes how the process involved change on both sides of the Alps.

that we can see an Italian method of investigating disputes slowly spread North.

The chronology of the process is worthy of note. Some scholars would argue that the timing is too fast to allow a spread of Italian procedures across the Alps, given that transalpine examples postdate the conquest by only a few years.¹⁶⁹ One early case has occasioned particular comment. After Charlemagne's grant of land to Fulda, the boundaries of the estate at Hammelburg he had donated were established in 777 by having local men testify to them.¹⁷⁰ I would not treat this as a judicial inquest as there is no dispute in question here, and such practices of walking boundaries find ample precedent in the Salic law.¹⁷¹ But the point could be argued either way.¹⁷² The first relatively clear instance in Northern records of which I am aware is its use by royal *missi* near Marseilles in 780.¹⁷³ One could explain the Marseilles case by arguing that its appearance so soon after the conquest reveals that the inquest must have been previously known North of the Alps. We can just as easily explain the record, however, in reference to the intense Carolingian focus on Italy in these years and the experimentation necessitated by the early challenges of trying to rule Italy, which permitted speedy transmission of judicial practices. The inquest was a tool of justice, not a carefully defined institution. Charlemagne's men did not try to regulate the inquest or establish rules for its use. They

¹⁶⁹ In addition to the cases discussed in this paragraph, there is also another early example of witnesses marking the boundaries of an estate under royal direction: *Denkmäler deutscher Poesie*, ed. Müllenhoff and Scherer, 4th ed. Steinmeyer, vol. 1, document 64.1, pp. 224–5. See discussion in Geary, "Land, Language and Memory," pp. 179–80; Bostock, *A Handbook on Old High German Literature*, pp. 114–15; Bauer, *Die ältesten Grenzbeschreibungen*, pp. 28–66.

¹⁷⁰ *Urkundenbuch des Klosters Fulda*, ed. Stengel, no. 83, pp. 153–4.

¹⁷¹ Whether one needs to have an actual dispute involving two opposed parties to have an inquest is another vexed issue. See the observations of Bullough, "*Europae Pater*," pp. 94–6. It is also possible that the case was a *Scheinprozess*, manufactured to get land rights confirmed and clearly stated. There is evidence for walking of boundaries in Germanic law. For instance: *Lex Salica*, D title 86.2/E title 85.2, pp. 146–9.

¹⁷² Bullough, "*Europae Pater*," pp. 95–6. For the broader context, see also DK 116 (ChLA 12, no. 539); with analysis of its diplomatic form in: Ullrich, "Urkunde König Karls des Großen"; and of the use of vernacular for the boundary clauses in Geary, "Land, Language, and Memory," pp. 177–80; Bostock, *A Handbook on Old High German Literature*, pp. 113–14. For an overview of the document: Bauer, *Die ältesten Grenzbeschreibungen*, pp. 3–27.

¹⁷³ The court case is preserved as *Cartulaire de l'abbaye de Saint-Victor*, ed. Guérard no. 31, pp. 43–6; for the report of the *missus*, see *Gallia Christiana novissima*, ed. Albanés and Chevalier, vol. 2, no. 41, cols. 33–4. See also H. Brunner, "Zeugen- und Inquisitionsbeweis," pp. 456–7 (p. 199 in the reprint). Aspects of the case, which cries out for further attention, could be questioned, but I think it likely this did involve an inquest.

simply encountered the procedure in Italy, kept using it in Italy as there was no reason to disrupt local practice, but then started using it too in the North. This is evidence of adaptation stemming from the political problem of needing to find ways to rule an immense and diverse empire. We have no indication here of any kind of specific decision to use the inquest, or any strategy of its spread. The surviving *placita* rather imply a Frankish adoption of a practice that seemed to work well, not a premeditated effort to introduce a new legal tool. Given the existence of practices of criminal and fiscal inquest, the use of testamentary inquest may not have felt foreign to the Franks. The Franks under Charlemagne employed the tools available to them, often in strikingly new ways, but in an *ad hoc* fashion, in reaction to events. The spread of the judicial inquest under Charlemagne was a result of the practice of ruling, and not of any kind of legal planning.

The borrowing of legal practice from Italy by the Carolingians was part of a process that went both ways.¹⁷⁴ That is, just as the Franks learned from Italian legal practice, so too did Frankish legal practice affect Italian court documents, in particular in the roles assigned to *missi* and the use of Frankish legal language.¹⁷⁵ Other aspects of Frankish judicial impact on Italy have been contested. For instance, Lucas Bruynning has argued that the Carolingian conquest had virtually no effect on judicial practice in Italy.¹⁷⁶ Much of Bruynning's argument is based on the lack of a clear distinction between *scabini* and judges in Italian court cases. As Bruynning notes, even if this is true, it is a matter of only one aspect of judicial practice, and a full assessment requires a broader discussion.¹⁷⁷ Yet, Bruynning, who correctly demonstrates minimal use of *scabini* in the judicial records of immediate post-conquest Italy, misunderstands the nature of Carolingian judicial reforms. He assumes that the use of the *scabini* is clearly defined and that they were meant to be used in the same fashion everywhere.¹⁷⁸ As we have seen earlier, this flies in the face of how the king and his men approached justice. The *scabini* did not have clearly defined roles even in Francia, and represent rather part of a full-scale rethinking of justice,

¹⁷⁴ On Italian openness to change, argued from a very different perspective, see Hodges, "AD 774 and After," p. 169.

¹⁷⁵ For a case heard by *missi*, see *I Placiti*, ed. Manaresi, no. 21, pp. 68–70, and for Carolingian judicial *formulae*, *I Placiti*, ed. Manaresi, no. 19, pp. 60–4. See discussion of Bougard, *La justice*, pp. 177–94 on the *missi* and especially pp. 119–37 on judicial terminology.

¹⁷⁶ Bruynning, "Lawcourt Proceedings."

¹⁷⁷ Bruynning, "Lawcourt Proceedings," p. 211.

¹⁷⁸ Bruynning, "Lawcourt Proceedings," especially pp. 196–7, 208–9. Although we do have some evidence for *scabini* in Italy in various sources. For one example, see [Note 230](#).

in which multiple officials have the same kinds of tasks.¹⁷⁹ There is thus no consistent policy about how to use *scabini* in Francia, nor can the evidence of actual cases provide us with firm rules about how *scabini* functioned. Thus, Bruyning's discussion of the lack of consistent use of *scabini* in Italy does not tell us much about the ultimate impact of the Carolingians on judicial practice in Italy. We find a more compelling verdict, with ample attention to influence in both directions, in François Bougard's study of justice in Carolingian Italy.¹⁸⁰ At risk of summarizing a rich book in a few words, Bougard demonstrates from multiple directions the impact of the Carolingians on Italian justice.¹⁸¹ The extent of Carolingian influence is not his main interest, which is how justice in Italy played out on the ground and reflected broader changes in Italian society, but he still offers numerous examples of Frankish influence.¹⁸² This does not mean Italian precedent was destroyed, but it does show the slow merging of practices derived from both Frankish and Lombard tradition. Justice in Carolingian Italy involved a melding of traditions.

If we accept that the judicial inquest was an Italian legal procedure adopted by the Carolingians in the context of mutual judicial borrowings, we need to consider why the inquest procedure appealed to the Carolingians. If there was no point in, nor real possibility of, prohibiting Lombard use of it, the question remains why it was worth it for the Franks to start relying on such community testimony themselves. The example of a few actual usages of the inquest can clarify this problem. The most dramatic case solved by judicial inquest in Charlemagne's Italy (and indeed in Charlemagne's empire as a whole) is the *Rizana placitum*, held in Istria in 804.¹⁸³ Istria, in the very Northeast of Italy, was a region contested by the Franks and the Byzantines.¹⁸⁴ In 804, Carolingian

¹⁷⁹ See discussion in Chapter 1, especially pp. 52–3 on *scabini*. ¹⁸⁰ Bougard, *La justice*.

¹⁸¹ To give just one example, see his discussion of the impact of the *missi* on justice in Italy: Bougard, *La justice*, pp. 177–94, demonstrating the slow spread of royal justice, conducted by new personnel.

¹⁸² See the goals laid out in his introduction: Bougard, *La justice*, pp. 1–9.

¹⁸³ Plea of *Rizana*: “Il placito del Risano,” ed. Petranović and A. Margetić. For other editions, and discussion of this case as a form of disciplining agents, see Chapter 2, pp. 102–4. L. Margetić's argument that the *placitum* was not fully an inquest depends on too narrow an understanding of the legal procedures involved: See L. Margetić, “Gli aspetti giuridici.”

¹⁸⁴ For the general context, see Krahwinkler, *Friaul im Frühmittelalter*, pp. 227–43; Krahwinkler, *In loco qui dicitur Riziano*; L. Margetić, “Quelques aspects du plaid de *Rizana*”; Esders, “Regionale Selbstbehauptung,” especially pp. 64–93; Guillou, *Régionalisme et indépendance*, pp. 192–201; T.S. Brown, *Gentlemen and Officers*, pp. 123, 139, 142, 201–2; Štih, “Istria at the Onset”; *Acta Histriae* 13 (2005): special issue; Fouracre, “It was Better in the Time of the Greeks.”

control in this area was still a relatively new phenomenon.¹⁸⁵ As we saw earlier, what happened in 804 is that the king sent three *missi* to Rižana to hear complaints from the local population about local officials and in particular their Duke, John, who was (probably) of Greek descent.¹⁸⁶ Political control over the area had been disputed because of the conflicts between the Franks and the Byzantines, and Duke John had seemingly taken advantage of the disturbed circumstances to oppress the local people. When the *missi* arrived they conducted an inquest: That is, they interviewed 172 local notables about what power holders in the region had done, with a special focus on the misdeeds of Duke John.¹⁸⁷ The population testified to a litany of abuses by John, the most common of which was that he was exacting unheard of financial burdens, which the population could not pay and survive, and the most colorful of which was that the population had sent some horses to Charlemagne as a present and Duke John had passed off the gift as his own.¹⁸⁸ The people also complain of having been subject to humiliation and violence.¹⁸⁹ After hearing the testimony of the population, the three royal *missi* agreed that the population was abused, took pledges from John that he would improve, and had the record attesting to restoration of old customs drawn up (which was subsequently confirmed in the next reign).¹⁹⁰

¹⁸⁵ Wickham, *Early Medieval Italy*, pp. 78–9, and the works listed in Note 184. For the early signs of Carolingian involvement in the region, see Štih, “Istria at the Onset,” pp. 213–17.

¹⁸⁶ For different opinions on John’s ethnicity, see Note 83 in Chapter 2.

¹⁸⁷ Plea of Rižana, p. 56: “Cu(m) p(er) iussione(m) piissimi atq(ue) ex(cellentissi(mi) d(om)ni Caroli Magni imp(er)atoris et Pipini regis filii eius i(n) Istria nos serui eo(rum) directi fuissimus idest IZZO presbiter atq(ue) Cadolao et Aio comites p(ro) causis sanctar(um) Dei ecclesiar(um) dominor(um) nostror(um) seu et de violentia populi, pauperor(um), orfanor(um) et viduar(um), primis omniu(m) venie(n)tib(u)s nobis i(n) territorio Caprense, loco q(ui) dicit(ur) Riziano, ibiq(ue) adunatis venerabili viro Fortunato patriarcha atq(ue) Theodoro, Leone, Stauratio, Stefano, Laurentio ep(isco)pis et reliq(ui)s primatibus uel populo p(ro)vincię Istrie(n)su(m), tunc elegimus d(e) singulis civitatib(u)s seu castellis homines capitaneos numero centu(m) septuaginta et duos, fecimus eos jurare ad sancta 4 D(e)i eua(n)gelia et pignora sanctor(um) ut omnia quicq(ui)d scirent d(e) quo nos eos i(n)terrogauerimus, dicant veritate(m), imprimis d(e) reb(u)s sanctar(um) Dei ecclesiar(um), d(e)ind(e) iustitia dominor(um) nostror(um) seu et d(e) violentia uel c(on)suetudine populi terre istius, orfanor(um) et viduar(um), q(ui) absq(ue) vilius ho(min)is timore nobis dicerent veritate(m).”

¹⁸⁸ Plea of Rižana, p. 64, for the allegation about the horses. The charges about financial exactions are spread out throughout the document.

¹⁸⁹ Plea of Rižana, p. 60: “Nu(n)c aute(m) cu(m) fustib(u)s nos cedunt et cu(m) gladiis seq(u)u(n)tur nos. Nos uero p(ro)pter timor(m) d(omi)ni nostri no(n) sumus ausi resistere ne peiora acrescat.”

¹⁹⁰ Plea of Rižana, pp. 66–8: “Tunc previdimus nos missi domni imp(er)atoris vt Ioa(n)nes dux dedisset vadia ut o(mn)ia prelata sup(er)posta gla(n)datico, herbatico, op(er)as et collectiones, d(e) Scauis et d(e) a(n)garias uel nauigationes

The use of the judicial inquest in this case had a clear political advantage for the Franks, in addition to the advantage of legal clarity explicit testimony encouraged.¹⁹¹ The *missi* arrived on direct order from Charlemagne to discipline the local duke, who had much deeper ties to the community.¹⁹² The settlement decided on could only hold if the Franks enforced it. However much the local population may have welcomed the intervention, the case is still an example of the king's men showing up in a newly incorporated region and intervening aggressively. What the inquest did was not only allow the king's men to gather enough information to come up with a reasonable solution, but also underlined the communal support for a royal intervention. The population was interrogated on a range of issues related not just to John, but also to the status of the local patriarch, Fortunatus of Grado, and virtually the entire aristocracy of the region.¹⁹³ The *missi* made reference to the *breves* the local population had prepared to document their grievances and had the power holders publicly commit to the arrangements.¹⁹⁴ Coming into a restive region, the *missi* acted to protect the population, but also to insist on overall Carolingian authority. The testimony then, was one way of

eme(n)dandu(m). Et ipsas vadias receperu(n)t Damianus, Honoratus et Gregorius, sed et ipse populus ipsas co(n)cessit calu(m)nias in tali vero tenore, ut a(m)plius talia no(n) perpetrasset. Et si (am)plius istas oppressiones ille aut sui hered(e)s uel auctores fecerint, nostra statua c(on)pona(n)t.” For the confirmation by Louis: *Codice diplomatico istriano*, ed. Kandler, vol. 1, no. 56, p. 128, now available online: www.scriniumadriae.it/; Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, no. 732.

¹⁹¹ Esders, “Regionale Selbstbehauptung,” emphasizes the Roman tradition behind the techniques of the inquest as used in Rižana. I have learned much from his work, but I am more interested here in the political reasons why the Franks were using this legal technique in, for them, relatively new ways at this time and in this place. Krahwinkel, *In loco qui dicitur Riziano*, pp. 138–9 views the *placitum* as a compromise. I argue here for the text as a strong imposition of royal will, admittedly enforced with an eye to the local circumstances and at the request of part of the local population.

¹⁹² Plea of Rižana, p. 56 : “Cu(m) p(er) iussione(m) piissimi atq(ue) ex(cellentissi(mi) d(omi)ni Caroli Magni imp(er)atoris et Pipini regis filii eius i(n) Istria nos serui eo(rum) directi fuissimus.”

¹⁹³ See the witness list in Plea of Rižana, p. 68.

¹⁹⁴ Plea of Rižana, p. 68: “De aliis uero causis stetit inter Fortunatu(m), venerabile(m) partriarcha(m) seu sup(ra)scriptos ep(iscop)os siue Ioa(n)nem duce(m) uel reliquos primates et populu(m), ut quicq(ui)d iurati recordarent et dicerent secu(n)du(m) suu(m) sacramentu(m) et ipsas breues, o(mn)ia adimplerent, et q(ui) adimplere nolluerint, d(e) illor(um) parte componat coactus i(n) sacro pallatio auro ma(n)cosos L. nouem.” On the *breves* the population brought with them, see p. 56. On the use of the *breves* in Italy generally, see Bartoli Langel, “Sui ‘breui’ italiani altomedievali.” The point about generating community support is strengthened if Paul Fouracre is correct that the root of the abuses was the imposition of Carolingian administration, which was harsher than earlier Byzantine practice: Fouracre, “It was Better in the Time of the Greeks.” See further discussion on pp. 103–4.

implementing royal control, and getting the local population publicly to support a royally imposed settlement in a newly Frankish region.¹⁹⁵

Finding ways to implicate the community in legal decisions could be useful all over the empire, not just in Italy. We have some hints in surviving records from the North that one reason for the spread of the inquest there was its use in building community participation in settlements favorable to the king. For instance, a surviving record from circa 806–8 from the region around Saint-Gall records a property dispute heard before a count.¹⁹⁶ The use of the inquest in a comital court has occasioned extensive discussion, as this is often assumed to be some kind of anomaly.¹⁹⁷ Given the lack of regulation under Charlemagne and the limited number of cases, I see no reason to treat this as a somehow incorrect use of the inquest: There was no *one* correct way to use the inquest, so we need to analyze the evidence we do have to try to understand what prompted the use of particular legal techniques in particular disputes. The count in this case had the local population interviewed via judicial inquest, and the witnesses then physically walked the boundaries between estates to which they had just testified.¹⁹⁸ After this the case was decided by *scabini*, who ruled on the estate boundaries but also seemingly reserved some territory for the royal fisc.¹⁹⁹ How exactly this happened is not clear, but it served to invoke local community support for a legal

¹⁹⁵ Compare Bougard, “La justice dans le royaume,” p. 145, note 15, downplaying the inquest as a tool for building community support.

¹⁹⁶ ChLA 100, no. 28 (also edited in *Urkundenbuch der Abtei Sanct Gallen*, ed. Wartmann, no. 187, pp. 177–8). See also discussion of this case as an example of court leaders hearing cases in Chapter 1, pp. 65–6. I would like to thank Peter Erhart for showing me the original charter and discussing it with me.

¹⁹⁷ Bullough, “*Europae Pater*,” pp. 95–6; Metz, *Das karolingische Reichsgut*, pp. 185–6. Metz assumes the anomaly is due to the unusual circumstances of Chur/Rhaetia. I do not think Carolingian administration was sufficiently standardized anywhere for the argument of regional difference to account for the case. Brunner also considers the case an exception (H. Brunner, “Zeugen- und Inquisitionsbeweis,” pp. 468–9; p. 210 in the reprint). He thinks the count running an inquest can be explained because the case related to the royal fisc, which, according to Brunner, meant that there was a prerogative of inquisition. See further [Note 200](#) on the role of the royal fisc in the case.

¹⁹⁸ ChLA 100, no. 28: “Tunc praedictus comis, convocatis illa testimonia, qui de ipso pago erant, interrogavit eos per ipsam fidem et sacramento, qua nostro domno datam habent, quicquid exinde scirent veritatem dicerent. At illi dixerunt ... Tunc praedictus comis iussit, ut ipsa testimonia suprairent et ipsos terminos ostenderent quod dicebant quod ita et fecerunt et ipsos terminos firmaverunt, qui inter illa dua mansa cernebant.”

¹⁹⁹ ChLA 100, no. 28. The verdict of the *scabini* runs as follows, quoted in direct speech: “Secundum istorum hominum testimonio et secundum vestra inquisicione iudicamus, ut sicut divisum et finitum est et terminis positus inter ipsos mansos, ut isti homines illorum proprium habeant absque ullius contradictione in perpetuum; et quod in dominico dictum et terminis divisum coram testibus fuit, receptum sit ad parte domni nostri.”

decision favorable to the Carolingians.²⁰⁰ Certainly, there are purely legal benefits, like increased transparency of decision-making processes, to be gained from judicial inquest, but the use of such a procedure can also underscore communal participation in judicial solutions that were to the king's benefit. I would suggest that we may see here a sign of why the Carolingians were attracted to this Italian legal tactic, and began, over time, to use it in the North, including in other conquered regions like Bavaria, during the reign of Charlemagne.²⁰¹

Case study 3: learning to use capitularies

Historians may debate how profound the Carolingian impact on Italy was, but one area where some influence is often recognized is the law (the other is the changing expectations of Italian bishops, which we examined earlier).²⁰² Charlemagne legislated for many of his conquered regions, but the capitularies for Italy are particularly common, extensive, and closely linked to Frankish laws.²⁰³ This Carolingian legislation for Italy was eventually incorporated into Italian legal tradition, appearing alongside the laws of the Lombard kings in the later legal compilation, the *Liber Papiensis*.²⁰⁴ The way in which Charlemagne utilized capitularies in Italy serves as our third and final case study of experimenting in the

²⁰⁰ Bullough, "Europae Pater," pp. 95–6, note 4, argues that the case did not actually involve the royal fisc. While it is indeed hard to understand the basis for reserving some land to the fisc, we must try to interpret what the document actually says, which is that part of the land went to the fisc. Metz, *Das karolingische Reichsgut*, pp. 185–6 also assumes some royal involvement, also does Brunner, "Zeugen- und Inquisitionsbeweis," pp. 468–9 (p. 210 in the reprint). The documented existence of fiscal land in the area at least makes it possible to take the reference seriously. On this fiscal land, see Erhart, "Königsbesitz," pp. 94–5.

²⁰¹ For example, TF nos. 193a and b (p. 183–5) and 247 (pp. 223–4).

²⁰² For example, see Azzara and Moro, *I capitolari*, pp. 36–8. The other area where a strong Carolingian influence is acknowledged is in the development of vassalage and seigneurial power. These contested changes, however, have more to do with the period after Charlemagne's reign, so I leave aside the issue here.

²⁰³ The fullest discussion of the capitulary material relating to Italy from the reign of Charlemagne is that of Manacorda, *Ricerche*, pp. 31–138. Manacorda provides a full survey of the texts, but with a different interpretation of their ties to Frankish capitularies than I will offer here. The importance of the Italian material is also stressed by Fasoli, *Carlo Magna e l'Italia*, pp. 127–9. The best discussion to date is Bougard, *La justice*, pp. 24–54. I have also found Mordek, "Die Anfänge," interesting, although he only discusses a few of the early capitularies, for Italy and the realm as a whole (which were applicable in Italy). He also offers a number of dating arguments that I cannot accept. On the basis of his redating, he tries to demonstrate a major emphasis on legislation in the years 780–1. I will argue here for a less concentrated, but more continuous, focus on legislation in Italy during the first half of Charlemagne's reign.

²⁰⁴ The extent to which the capitularies contributed to the *Liber Papiensis* is worthy of further attention, but important indications on the manuscript evidence can be found in

conquered regions. Many of the characteristic features of Charlemagne's capitularies are observable first in Italy, before such practices became standard North of the Alps.²⁰⁵

Unlike the adoption of the inquest into Frankish judicial procedure, the use of capitularies in Italy is not a matter of the Franks borrowing an indigenous Italian tradition. The Italians did have an extensive legal tradition, but not in the format of the capitularies. The use of capitularies as a legislative format was a Frankish custom, and a long-standing one, not an Italian practice.²⁰⁶ The Carolingian mayors of the palace and Pippin III as king had given capitularies.²⁰⁷ Charlemagne's choice to do so, then, was clearly an acting-out of Frankish tradition and a continuation of the political practice of his forebears. I have argued earlier that Charlemagne's use of capitularies is a defining innovation of his reign. What I would like to explore here is how many of these new features of using capitularies are visible first in Italy, before they were adopted in Francia. Charlemagne's capitularies are unusual for their number, variety, and reach. All of these features can be seen in the Italian capitularies as well, and often before they are evident in Frankish texts.

The first point we must note is the number of capitularies directed to Italy. Depending on how one chooses to classify some difficult texts, Charlemagne issued approximately ninety surviving capitularies during his reign. A full sixteen are Italian capitularies, directed solely at the kingdom of Italy. This figure does not include Frankish capitularies with additional chapters directed at Italy,²⁰⁸ or general capitularies with extensive distribution in Italy, such as the *Capitulare missorum* of 803.²⁰⁹ The intention to legislate for new regions was general; Italy was not special in that regard.²¹⁰ There are two surviving Saxon capitularies, one complete capitulary for Aquitaine, and two capitularies for Bavaria,

Mordek, *Bibliotheca*. On the later Italian legal tradition, see, for example: Radding, *The Origins of Medieval Jurisprudence*.

²⁰⁵ This early use of capitularies in Italy is also noted by Story, *Carolingian Connections*, chapter 3, in the course of an argument in which she proposes that George of Ostia/Amiens, the papal legate who helped run synods in Anglo-Saxon England in 786–7, may have been influenced by the Frankish capitulary format as it was used in Italy.

²⁰⁶ Mordek, "Karolingische Kapitularien," p. 26 (p. 56 in the reprint); see also his note 18 on pp. 28–9 (pp. 58–9 in the reprint). It is conceivable that the word *capitulare* was learned in Italy, but the genre is clearly Frankish. See Mordek, "Die Anfänge," p. 6, note 17.

²⁰⁷ See volume 1 of the capitularies for the legislation, and further discussion in the *Introduction*, pp. 36–8.

²⁰⁸ Such as *Capit. I*, no. 67, c. 5, p. 157.

²⁰⁹ *Capit. I*, no. 40, pp. 115–16. On the manuscripts, see Mordek, *Bibliotheca*, pp. 1084–5.

²¹⁰ On the particularities of the Italian capitularies within the spectrum of legislation, see Ganshof, *Recherches sur les capitulaires*, pp. 16–17.

as well as additional chapters on the conquered regions.²¹¹ But the number of the Italian capitularies far dwarfs the number of capitularies issued for any other conquered region.²¹² These figures give a sense of the continued deep reliance on written law in the governance of Carolingian Italy, in a manner unmatched in any of the other conquered regions. Capitularies were key to Carolingian rulership everywhere, but this emphasis on legislation is clearest in Italy and Francia. Some of these Italian capitularies were issued directly in Charlemagne's name and some in the name of Pippin of Italy.²¹³ All came ultimately from Charlemagne, however, though his choice to legislate through Pippin in Italy, a practice he did not repeat in Aquitaine with Louis, also bears mentioning.²¹⁴ The difference in number of surviving capitularies for Italy, however, is remarkable. The issue is not solely one of manuscript preservation: For instance, the Bavarian capitularies issued by Charlemagne are preserved in a number of manuscripts from the region, including many twelfth-century copies.²¹⁵ The relatively good state of preservation of Italian manuscripts cannot, on its own, explain the number of capitularies that survive for Italy as opposed to the other conquered regions. This is especially true because the geography of capitulary manuscripts does not especially emphasize Italy.²¹⁶ Moreover, Frankish capitularies were

²¹¹ The capitularies for Saxony: *Capitulatio de partibus Saxoniae*, *Capit.* I, no. 26, pp. 68–70; *Capitulare Saxonicum*, *Capit.* I, no. 27, pp. 71–2; capitularies for Bavaria: *Capitula ad legem Baiwariorum addita*, *Capit.* I, no. 68, pp. 157–8; *Capitulare Baiwaricum*, *Capit.* I, no. 69, pp. 158–9; capitulary for Aquitaine: *Breviarium missorum Aquitanicum*, *Capit.* I, no. 24, pp. 65–6. There are numerous additional chapters spread out through the capitularies addressing particular places, such as a reference to Saxony in *Capit.* I, no. 35, c. 50, p. 104.

²¹² Compare Azzaro and Moro, *I capitolari*, who include two debatable 813 texts that I would not localize to Italy (namely, *Capit.* I, no. 83, pp. 181–2; *Capit.* I, no. 84, pp. 182–3; for dating of these texts, see Chapter 7, Note 144). In so doing, they build on the work of Manacorda, *Ricerche*, pp. 132–6, who argued for the Italian origins of these texts. Manacorda provides two main pieces of evidence. The first is that one of the texts uses royal language and he assumes such references after 800 could only come from Italy. However, the use of titles is too irregular to sustain said assumption. The second piece of evidence he adduces is a reference in one of the texts to a decision on tithes, which he (by reference to another capitulary) links to an Italian precedent. However, it is unclear from the capitulary what previous regulation on tithes is meant. Given these factors and the general content of the capitularies, I see no grounds to assign them to an Italian context.

²¹³ Compare *Capit.* I, no. 98, pp. 204–6, directly issued in Charlemagne's name, to the *Capit.* I, no. 94, pp. 198–200, where the frequent references to Charlemagne in the text make it clear Pippin was the immediate issuing authority.

²¹⁴ Ganshof, *Recherches sur les capitulaires*, pp. 31–2. See also Bougard, *La justice*, pp. 24–9, for measured comments on the reception of capitularies in Italy. I think even Bougard's reservations make the point clear that the capitularies were meant for Italy too.

²¹⁵ For example, Munich, Bayerische Staatsbibliothek, Clm 5260, on which see Mordek, *Bibliotheca*, pp. 314–19.

²¹⁶ I make this argument in my *Per capitularios nostros*.

preserved in Italian manuscripts, and Italian capitularies in Northern manuscripts.²¹⁷ Similarly, the great tenth- and eleventh-century compendia manuscripts can combine Frankish and Italian capitularies.²¹⁸

The Italian capitularies are notable not only for their number, but for the extent to which they match and at times prefigure Frankish capitularies in their variety and in their reach. For instance, the Italian capitularies differ in format, including both typical capitularies subdivided in chapters and letters of instruction.²¹⁹ In Italy, as in Francia, there was no one standard form for capitularies. Even capitularies that followed the standard format could present significant differences. We might compare, for example, the *Capitulare Mantuanum*, issued in 781 and the *Karoli Magni capitulare missorum Italicum*, probably dating from somewhere around 802–10.²²⁰ The former capitulary is one of the earliest that Charlemagne issued for Italy. The text identifies itself as the product of an assembly discussion, which has long been assumed to correlate with Charlemagne's visit to the kingdom in 781.²²¹ The capitulary is typical in format, but bears throughout signs of its ties to the unsettled circumstances evident in the early years of Carolingian rule. The capitulary begins with several chapters on justice.²²² This is typical of Frankish legislation, but makes particular sense in this text as the kinds of extensive judicial expectations the Franks were developing in Francia were new departures for Italy.²²³ A number of other chapters similarly reflect the uncertain conditions, such as the requirement that no Lombard can be accepted as a vassal without the lord knowing where

²¹⁷ To give just one example of each: An Italian manuscript with Frankish capitularies is St. Paul im Lavanttal, Archiv des Benediktinerstiftes, 4/1 (on which see Mordek, *Bibliotheca*, pp. 685–95) and a manuscript from North of the Alps which is known for its inclusion of Italian material is St. Gall, Stiftsbibliothek, 733 (on which see Mordek, *Bibliotheca*, pp. 676–80); despite some questions, there is no sign this manuscript is in fact Italian. See also the overview of the manuscript transmission of capitularies in Italy in Bougard, *La justice*, pp. 30–52.

²¹⁸ For instance, Gotha, Forschungsbibliothek, Memb. I 84, on which see Mordek, *Bibliotheca*, pp. 131–49.

²¹⁹ For instance, *Capit.* I, no. 89, p. 189 has a typical chapter structure; *Capit.* I, no. 103, pp. 211–12 is a letter of instruction edited with the capitularies and containing at least some legislative material.

²²⁰ For the dates, see Mordek, *Bibliotheca*, pp. 1089 and 1091 respectively. On the date of the former, see also Mordek, “Die Anfänge.”

²²¹ *Capit.* I, no. 90, heading, p. 190: “De singulis capitulis, qualiter Mantua ad placitum generale omnibus notum fecimus.” On Charlemagne's visit: Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, no. 234.

²²² *Capit.* I, no. 90, cc. 1–4, p. 190.

²²³ On the Frankish impact on Italian justice generally, the best account is Bougard, *La justice*; and see further discussion of bishops and justice in Chapter 4, pp. 232–4.

he is from and the status to which he was born,²²⁴ or the note forbidding the sale of weapons and slaves outside the frontiers of the empire.²²⁵ The uncertainty of Franks coming in to take control and not knowing who people were and the need to try to enforce new boundaries emerge clearly from the legislation.²²⁶ The consequences of attempting to assert Carolingian authority are also evident, as in the passage insisting on the use of Carolingian coinage.²²⁷ In short, this early capitulary uses typical Frankish forms to reflect a society in flux.²²⁸

In contrast, the *Karoli Magni capitulare missorum Italicum*, which comes from the end of Charlemagne's reign, is a very different text.²²⁹ This is a set of instructions for the *missi*, which in essence assumes a functioning Carolingian administration in Italy.²³⁰ Two features in particular mark out this capitulary. First, it was likely composed at court, whether Aachen or Pavia, and then circulated based on some kind of master copy. Not all the manuscripts are complete copies, but the two complete manuscripts show minimal variation, and the three others with just select chapters similarly show limited variations.²³¹ Those who copied the capitulary included the

²²⁴ *Capit.* I, no. 90, c. 11, p. 191: "Ut nullus quilibet hominem Langobardiscum in vassatico vel in casa sua recipiat, antequam sciat unde sit vel quomodo natus est; et qui aliter fecerit, bannum nostrum componant."

²²⁵ *Capit.* I, no. 90, c. 7, p. 190: "Ut nullus mancipia christiana vel pagana nec qualibet arma vel amissario foris regno nostro vendat; et qui hoc fecerit, bannum nostrum componere cogatur; et si ea mancipia minime revocare potuerit, widrigild suum componat." On a possible borrowing from the Theodosian Code in the ideas expressed in this capitulary chapter, see Nelson, "Translating Images of Authority," p. 197 (pp. 94–5 in the reprint).

²²⁶ This was a persistent problem in Italy. For discussion, see G.V.B. West, "Charlemagne's Involvement," pp. 347–8; Pohl, "Frontiers in Lombard Italy."

²²⁷ *Capit.* I, no. 90, c. 9, p. 191: "De moneta, ut nullus post Kalendas Augusti istos denarios quos modo habere visi sumus dare audeat aut recipere; si quis hoc fecerit, bannum nostrum componat."

²²⁸ On other capitulary evidence for slow shifts in Italian society, see Bougard, "Laien als Amtsträger," pp. 204–5.

²²⁹ *Capit.* I., no. 99, pp. 206–7. Mordek, *Bibliotheca*, p. 1091 dates the capitulary to 802–10.

²³⁰ See, for example, the regulations for attending court, which adhere to Frankish custom and which make reference to Frankish officials, like *scabini*. *Capit.* I, no. 99, c. 12, p. 207: "Ut per placita non fiant banniti liberi homines, excepto si aliqua proclamatio super aliquem venerit aut certe si scabinus aut iudex non fuerit; et pro hoc condemnati illi pauiores non fiant."

²³¹ The capitulary survives in five manuscripts, namely, Cava dei Tirreni, Biblioteca della Badia, 4; Ivrea, Biblioteca Capitolare, XXXIV; Munich, Bayerische Staatsbibliothek, Clm 19416; St. Paul im Lavanttal, Archiv des Benediktinerstiftes, 4/1; Vatican, Biblioteca Apostolica Vaticana, Chigi F. IV. 75. The two complete manuscripts are the ones from Ivrea and Munich (the numbering of chapters is incomplete in the Munich manuscript, but all chapters are distinguished and present [see Mordek, *Bibliotheca*, p. 361]). The Cava manuscript contains only two chapters of the capitulary; the manuscripts from St. Paul im Lavanttal and the Vatican have multiple

chapters of interest to them, but the basic coherence of the text suggests some degree of centralized circulation. The probable promulgation at court is a point reinforced by the lack of any reference in the capitulary itself or in any other source of an assembly setting for the composition of the text. This way of giving instructions to the *missi* was of course also standard in Francia.²³² Which brings us to the second key point about this text, namely, its similarity to Frankish materials.²³³ Short of the primarily Italian manuscript tradition, there is nothing in the text itself which identifies it as Italian.²³⁴ The editor of the capitularies claims that two references to Charlemagne's sons mark out the capitulary as Italian.²³⁵ This is not compelling, as a number of capitularies refer to the sons.²³⁶ The one possible support for the claim is the reference in one chapter to our son, and thus presumably Pippin of Italy, rather than to our sons.²³⁷ However, even in this chapter one manuscript has the plural,²³⁸ and in any case, Charlemagne had more than one son whose power might be referenced individually in a capitulary. The reference to a son or sons cannot localize the text geographically. In short, this capitulary is a document entirely like what one would find in Francia in the same period.

These two capitularies thus show us a snapshot of the imposition of Carolingian control, from unsettled upheaval to standard administration. They also reveal the variety which we can find in the Italian capitularies. Both texts use the standard form, but to very different ends. This variety is evident not just in content and format. It is also evident in the length of capitularies, which can vary widely in Italy as in Francia,²³⁹ and in the

chapters, in the latter case, in two different places in the manuscript. For descriptions of all five manuscripts, see Mordek, *Bibliotheca*, pp. 98–111, 178–85, 357–64, 685–95, 756–68, respectively.

²³² On breaking the supposed link between capitularies and assemblies, see overview in McKitterick, *Charlemagne*, pp. 229–30, and the fundamental study of Christina Pössel, "Authors and Recipients," pp. 255–9.

²³³ For instance, a similar Frankish document is: *Capit.* I, no. 64, pp. 153–4.

²³⁴ All the manuscripts (listed in Note 231) are Italian except for the Munich manuscript, written in Bavaria, but closely linked to the Italian capitulary manuscript transmission. Mordek uses lack of clear content links to Italy to argue that another capitulary attributed to Italy was a general capitulary which circulated in Italy (see Mordek, "Die Anfänge," pp. 13–17), but I do not think these arguments are convincing. See further Note 263. Localizing a capitulary requires attention to both content and manuscript transmission, and is a complicated process I will address elsewhere.

²³⁵ Boretius' introduction to *Capit.* I, no. 99, pp. 206–7, here p. 206. The chapters in question are 9 and 13 on p. 207.

²³⁶ For instance, *Capit.* I, no. 73, c. 7, p. 165. ²³⁷ *Capit.* I, no. 99, c. 9, p. 207.

²³⁸ See note in edition, p. 207. The manuscript in question is St. Paul im Lavanttal, Archiv des Benediktinerstiftes, 4/1.

²³⁹ Compare, for example, *Capit.* I, no. 100, pp. 207–8, which is just four chapters long and takes up less than a page of the MGH edition, to *Capit.* I, no. 91, pp. 191–3, with ten chapters and taking up two full pages of the MGH.

setting of promulgation, in assemblies or among a smaller group of advisers at court.²⁴⁰ The capitularies can differ in the naming of Charlemagne or Pippin as the explicit promulgating authority.²⁴¹ They can be issued as single texts, or paired documents, as in Francia.²⁴² As we saw with the capitularies in general, in Italy Charlemagne and his men took an old Frankish legal format and employed it in a multiplicity of ways.

The correspondence between Frankish and Italian capitularies is also clear in the intrusiveness and reach of these legal texts. The scope of interest and use of law to varied and often personal and searching ends characteristic of Frankish texts is evident too in the Italian capitularies. A few examples can illustrate the point. Many Italian capitularies begin with a command to take care of the weak, a frequent feature of Frankish capitularies, and with the same kind of expansive language typical of Frankish texts: "We decided and it seems right that all justice ought to be fully assured within our kingdom without any delay, both for churches and for *xenodochia* and also for the poor, widows, and orphans and for everyone else according to the command of our lord king Charles."²⁴³ Another capitulary composed in concert with the Italian bishops demands that all the bishops actively investigate cases of pagan practice: To seek out people who engage in such "abomination" and to make sure they perform penance.²⁴⁴ This insistence on forceful engagement of royal agents, as the Carolingians understood bishops to be, in people's religious lives is entirely typical of Frankish capitularies and entirely atypical of the Lombard laws.²⁴⁵ The reach of Frankish capitularies is thus

²⁴⁰ For example, *Capit.* I, no. 91, introduction, p. 191 clearly announces it was decided at an assembly. In contrast, *Capit.* I, no. 94, pp. 198–200 which conveys commands of Charlemagne, seems likely to have been written up at Pavia.

²⁴¹ For instance, *Capit.* I, no. 92, introduction, p. 194, is explicitly issued in the name of Charlemagne: "Placuit nobis Karolo gloriossimi regis, ut vitia que nostris temporibus in sancta Dei aecclesia emersa sunt eradicentur et evellantur." *Capit.* I, no. 91, introduction, p. 191, is given in the name of Pippin: "In nomine domini nostri Iesu Christi, qualiter complacuit nobis Pipino excellentissimo regi gentis Langobardorum, cum adessent nobis cum singulis episcopis, abbatibus et comitibus seu et reliqui fideles nostros Francos et Langobardos qui nobiscum sunt vel in Italia commorantur."

²⁴² Most capitularies are independent documents. An example of paired capitularies from Italy is: *Capit.* I, no. 92, pp. 194–5 and *Capit.* I, no. 93, pp. 196–8; an example from Francia: *Caroli Magni capitulare ecclesiasticum* (ed. Mordek, *Bibliotheca*, pp. 981–9) and *Caroli Magni capitulare generale* (ed. Mordek, *Bibliotheca*, pp. 990–4). It is possible both these sets of capitularies were issued in the same year. On the dating of the capitularies: For the Italian capitularies, see Mordek, *Bibliotheca*, p. 1090; for the Frankish capitularies, see Mordek's comments to his edition of the texts and discussion in Chapter 7, pp. 374–5.

²⁴³ *Capit.* I, no. 94, c. 1, p. 198. ²⁴⁴ *Capit.* I, no. 96, c. 2, p. 202.

²⁴⁵ For a comparison to similar intrusiveness in Frankish legislation, see *Capit.* I, no. 46, c. 3, p. 131.

replicated in the Italian capitularies, as is the scope of interests reflected. For instance, the *Pippini capitulare Italicum* ranges from monastic order to harmony between counts and bishops to royal vassals to fugitive slaves in the space of twenty *capitula*.²⁴⁶ The diversity characteristic of all Charlemagne's capitularies holds true for the Italian texts as well.

As we saw with the use of the inquest, the introduction of Carolingian law and justice was not simply a matter of "colonial" impositions on a conquered region. So too with the Italian capitularies. While these texts resemble the Frankish capitularies in their number, variety, level of intrusiveness, and range of interests, they do still reflect the different circumstances of Carolingian Italy. We can find an excellent example of how the Carolingian capitularies given in Italy merge Frankish and Lombard tradition in the text known as the *Capitulare Italicum*, one of the most widely transmitted capitularies issued for Italy.²⁴⁷ This capitulary, promulgated in the wake of Charlemagne's imperial coronation, very unusually begins with a formal title and protocol.²⁴⁸ The language of the long introduction announces the king's intention to address the public and private affairs of Italy by revising and supplementing Italian law, both Roman and Lombard.²⁴⁹ The terminology used is characteristic of a number of documents issued in Italy in this period and atypical of the capitularies generally.²⁵⁰ The introduction

²⁴⁶ *Capit.* I, no. 102, pp. 209–11; on monastic order, chapters 1–3, p. 209; on harmony between counts and bishops, c. 5, pp. 209–10; on royal vassals, c. 10, p. 210; on fugitive slaves, c. 20, p. 211.

²⁴⁷ The surviving manuscripts are listed in Mordek, *Bibliotheca*, pp. 1090–1.

²⁴⁸ *Capit.* I, no. 98, introduction, p. 204: "In nomine domini nostri Iesu Christi. Karolus, divino nutu coronatus, Romanum regens imperium, serenissimus augustus, omnibus ducibus, comitibus, gastaldiis seu cunctis rei publicae per provincias Italiae a nostra mansuetudine praepositis. Anno ab incarnatione domini nostri Iesu Christi DCCCL, indictione nona, anno vero regni nostri in Frantia [sic] XXXIII, in Italia XXVIII, consulatus autem nostri primo."

²⁴⁹ *Capit.* I, no. 98, introduction, pp. 204–5: "Cum Italiam propter utilitatem sanctae Dei ecclesiae ac provinciarum disponendarum venissemus, et multae atque diversae per urbes singulas ante conspectum nostrum quaestiones tam de ecclesiasticis quam publicis ac privatis rebus discurerentur, pleraque statim recitata ex Romana seu Langobardica lege competenti sententia terminata sunt, quaedam vero in nostri examinis arbitrium ad tempus dilata, quorum iudicialis sententia a legislatoribus aut penitus omissa est aut a posteris oblivioni tradita. Quocirca nos, considerantes utilitatem nostram et populi a Deo nobis concessi, ea quae ab antecessoribus nostris regibus Italiae in edictis legis Langobardicae ab ipsis editae praetermissa sunt, iuxta rerum et temporis considerationem addere curavimus, scilicet ut necessaria quae legi defuerant supplerentur, et in rebus dubiis non quorumlibet iudicium arbitrium, set nostrae regiae auctoritatis sanctio praevaleret. Capitula autem quae nobis addere placuit haec sunt."

²⁵⁰ For some similar language, see *I Placiti*, ed. Manaresi, no. 16, pp. 44–8=ChLA 72, no. 24.

continues by placing Charlemagne in the continuum of Lombard kings and presents the following *capitula* as additions to the law in terms reminiscent of the prologues to the Lombard laws.²⁵¹ This highly ideologically charged preface, which is very unusual for the reign of Charlemagne, merges Frankish precedent with Italian language.²⁵² The rest of the capitulary in its content similarly reflects a merging of Italian and Frankish customs. For instance, a ruling on *aldiones* notes that they should have the same status as *fiscalini* or *lites* in Francia.²⁵³ The Lombard institution can stand, but it must be incorporated into a Frankish framework.²⁵⁴ The capitularies, unlike the inquest, were quite clearly a tool of control in Italy, and an importation of a Frankish practice. Yet, they still left room for recognition of Italian custom and Italian legal expectations.

If this is a clear Frankish tradition applied in Italy, however, how does it fit in with our discussion here of borrowing? In this case, the Franks had a pre-existing capitulary tradition, which Charlemagne and his men were in the process of reworking in Francia. The point is that much of this new way of using capitularies—regularly, extensively, in varied forms, and with a wide reach—occurred more regularly in Italy before it similarly became standard in Francia. The earliest surviving capitulary is a capitulary for Italy, the *notitia Italica*, from either 774 or 776.²⁵⁵

²⁵¹ Compare the text in Notes 248 and 249 with, for example, *Edictus ceteraque Langobardorum leges*, Luitprand, 5, introduction, pp. 87–8: “Ego in dei omnipotentis nomine liutprand, excellentissimus rex gentis filicissimae ac catholicae deoque dilectae langobardorum, reminiscor quoniam, sicut superius a nobis pagina legitur instituta, anno scilicet regni nostri primo indictione undecima ea quae nobis nostrisque iudicibus et reliquis langobardis fedelibus nostris ob dei timore atque amore recta conparuerunt, in antico edicti corpore recto adicere curauimus moderamine. Nunc iterum annuente dei omnipotentis misericordia diae calendarum martiarum, anno regni nostri deo propitio quinto, indictione quinta decima, simili modo cum omnibus iudicibus nostris de partibus austriacae et neustriacae necnon et de tusciae finibus seu ceteris nostris langobardis adhuc preuidemus adaugere illa, quae deo credimus placita esse, ut in multis causis et locis proibeantur periuria, et causae quae a quibuscunque hominibus misericorditer disponuntur, in peccati honus deinceps nequaquam procident, et illud, quod forsitan antea uideatur obscuro, nunc omnibus luce clarius enetiscat.”

²⁵² The use of Lombard language in Frankish capitularies is likely a sign of the participation of Lombards in drafting such texts. For the same suggestion in relation to a different capitulary, see Bullough, “The Writing-Office,” p. 19.

²⁵³ *Capit.* I, no. 98, c. 6, p. 205: “De aldiones. Aldiones vel aldianae ad ius publicum pertinentes ea lege vivant in Italia in servitute dominorum suorum, qua fiscalini vel lites vivunt in Francia.”

²⁵⁴ On *aldiones*, see Wickham, *Early Medieval Italy*, pp. 100, 107–12.

²⁵⁵ I believe McKitterick's new dating is correct; see McKitterick, *Charlemagne*, pp. 111–13, and my discussion on pp. 410–11. Mordek, “Die Anfänge,” argues that this text dates from 781, and thus that it is not the earliest surviving capitulary, but his dating arguments are not sustainable. I exclude here the debated *Karoli*

Overall, the earliest capitularies are largely related to conquered areas, including, but not limited to, Italy. If we consider the fifteen capitularies relatively securely dated to the period before the Synod of Frankfurt in 794, seven are directly Italian and one each was directed to Saxony and Aquitaine (see also [Table 5.1](#)).²⁵⁶ The fifteen texts include the instructions provided for the *missi* sent to Pope Hadrian in 784–5, which is also in a sense a foreign text.²⁵⁷ Thus, two-thirds of these early laws were destined for conquered regions. The chronological gap between Italian and Frankish capitularies should not be overstated. Many of the most interesting capitulary examples we examined earlier come from later capitularies for Italy. We must also take note of a recent reconsideration of capitulary dating, which places less emphasis on capitularies issued after the imperial coronation.²⁵⁸ This means that the focus of the Italian capitularies pre-800 (nine of the sixteen texts) is not entirely different than patterns for the capitularies as a whole.²⁵⁹ Nonetheless, in the early years of the reign when Charlemagne and his men were in the process of inventing a new capitulary tradition, they did most, though not all, of their experimenting in the conquered regions.

The Franks used capitularies this way in conquered regions, especially Italy, because it was a useful tool of governance with which they already had experience. The explanation for the focus of this

M. capitulare primum, *Capit.* I, no. 19, pp. 44–6; on which see Ganshof, *Recherches sur les capitulaires*, pp. 8–9, note 23.

²⁵⁶ In chronological order, they are: *Capit.* I, no. 88, pp. 187–8 (Italian); *Capit.* I, no. 20, pp. 47–51 (Frankish); *Capit.* I, no. 97, pp. 203–4 (Italian); *Capit.* I, no. 90, pp. 190–1 (Italian); *Capit.* I, no. 26, pp. 68–70 (Saxon); *Capit.* I, no. 91, pp. 191–3 (Italian); *Capit.* I, no. 111, p. 225 (also ed. ChLA 17, no. 655, arguably “foreign”; this is perhaps better classed as an administrative document rather than a capitulary, but does help show a legislative emphasis on Italy and is thus included here); *Capit.* I, no. 94, pp. 198–200 (Italian); *Capit.* I, no. 95, pp. 200–1 (Italian; see Mordek, *Bibliotheca*, p. 1090; text is identified as *Pippini capitulare* in the edition); *Capit.* I, no. 22, pp. 53–62 (also ed. *AG*, pp. 180–238; Frankish); *Capit.* I, no. 23, pp. 62–4 (Frankish); *Capit.* I, no. 25, pp. 66–7 (Frankish); *Capit.* I, no. 24, pp. 65–6 (Aquitainian); *Capit.* I, no. 89, p. 189 (Italian); *Capit.* I, no. 21, p. 52 (Frankish, and also ed. Mordek, “Karls des Großen zweites Kapitular,” pp. 50–2, whose dating of the capitulary to 779 I do not accept). See also [Table 5.1](#). Mordek, “Die Anfänge,” redates many of the early capitularies to 781. I find the redating on the whole unconvincing, although he makes a number of useful comments on the texts themselves. Specific issues of dating are addressed in the notes to [Table 5.1](#).

²⁵⁷ *Capit.* I, no. 111, p. 225 (also ed. ChLA 17, no. 655).

²⁵⁸ See [Chapter 7](#), pp. 350–7 for discussion.

²⁵⁹ Compare my dating here with Manacorda, *Ricerche*, tables 1 and 2.

Table 5.1 *The early capitularies of Charlemagne (Pre-794)*

Capitulary Reference ²⁶⁰	Location Directed To	Approximate Date
<i>Karoli Magni notitia Italica</i> , no. 88, pp. 187–8	Italy	Probably 774 ²⁶¹
<i>Capitulare Haristallense</i> , no. 20, pp. 47–51	Francia ²⁶²	779
<i>Karoli epistola in Italiam emissa</i> , no. 97, pp. 203–4 ²⁶³	Italy	779–81 ²⁶⁴
<i>Capitulare Mantuanum</i> , no. 90, pp. 190–1	Italy	781
<i>Capitulatio de partibus Saxoniae</i> , no. 26, pp. 68–70	Saxony	782 or 785
<i>Pippini Italiae regis capitulare</i> , no. 91, pp. 191–3	Italy	782–7 ²⁶⁵
<i>Memoratorium missis datum ad papam Adrianum legatis</i> , no. 111, pp. 225 (also edited in ChLA 17, no. 655)	Instructions for Frankish legates to papacy	784–5
<i>Pippini capitulare Papiense</i> , no. 94, pp. 198–200	Italy	787
<i>Karoli Magni capitulare Italicum</i> (see Mordek, <i>Bibliotheca</i> , p. 1090; text is identified as <i>Pippini capitulare</i> in the edition), no. 95, pp. 200–1	Italy	787?
<i>Admonitio generalis</i> , no. 22, pp. 53–62 (also edited in AG, pp. 180–238)	Francia	789
<i>Duplex legationis edictum</i> , no. 23, pp. 62–4	Francia	789
<i>Capitulare missorum</i> , no. 25, pp. 66–7	Francia	789
<i>Breviarum missorum Aquitanicum</i> , no. 24, pp. 65–6	Aquitaine	789
<i>Capitulare cum episcopis Langobardicis deliberatum</i> , no. 89, p. 189	Italy	780–90 ²⁶⁶
<i>Capitulare episcoporum</i> , no. 21, p. 52 (also edited in Mordek, “Karls des Großen zweites Kapitular,” pp. 50–2)	Francia	792–3 ²⁶⁷

experimentation on Italy in contrast to other conquered regions is undoubtedly the existence of a strong legal tradition in Italy before the Carolingian takeover and of expectations of Roman-style administration

²⁶⁰ References are to the MGH edition, *Capit.* I, unless otherwise noted.

²⁶¹ I follow here the dating of McKitterick, *Charlemagne*, pp. 111–13.

²⁶² The so-called Lombard version is probably later, though the text certainly circulated in Italy as well. See Mordek, “Die Anfänge,” pp. 6–7.

²⁶³ Mordek, “Die Anfänge,” pp. 13–17, building on earlier work by Ganshof, argues that this is a capitulary for the entire realm, which survives here in only an Italian version. I am unconvinced, and have treated it as Italian in this discussion. At a minimum, it was at least partly prompted by Italian circumstances.

²⁶⁴ For the dating, compare Mordek, “Die Anfänge,” pp. 8–13, who argues for 780. This is possible, but I am not sure we can be so precise.

²⁶⁵ Compare Mordek, “Die Anfänge,” pp. 32–3, arguing for 781–2.

²⁶⁶ Compare Mordek, “Die Anfänge,” p. 27, arguing for 781.

²⁶⁷ Compare Mordek, “Karls des Großen zweites Kapitular,” arguing for a date of 779. Mordek also re-edits the text. The most compelling evidence Mordek offers for his dating is links in many manuscripts between the Capitulary of Herstal, securely dated to 779, and the *Capitulare episcoporum*, including an important early manuscript that treats

and literacy.²⁶⁸ Our latest examples of capitularies also come from Italy.²⁶⁹ The continued issuing of capitularies and capitulary-like texts in Italy into the late ninth century is another sign of the depth of the legal tradition, the continued interest in written law South of the Alps, and of the appropriateness of the capitulary as a technique of administration in the former Lombard kingdom.²⁷⁰ The Roman heritage and legal expectations made law a particularly appropriate tool for trying to govern Italy, but the receptiveness to law is only part of the story of the use of capitularies in Italy. Charlemagne's capitularies differ from those of his predecessors from the start, both the capitularies he gave in Italy and those he gave in Francia. But the pressure of having to rule Italy prompted the Franks to rely especially intensively on a pre-existing legal format, which they turned to new ends. As Charlemagne's focus in Francia changed from conquering to trying to govern, the capitularies were more widely employed as a tool of rulership in the North. I have argued that the capitularies were in a sense an invention of Charlemagne and his men, because their use of this legal format was so different from what had come before. The king and his advisers began to use capitularies in these new ways more regularly in Italy before similar practices were instituted in the Frankish heartlands.

Experimentation as a pattern of rulership

We can also make one final point about conquered lands as arenas for experimentation, namely, that this creativity constitutes a definite pattern of rulership during the reign of Charlemagne. The importance of foreigners at the court of Charlemagne has long been known and remarked upon.²⁷¹ This interest in recruiting talented men from other lands was of great importance, in particular in stimulating the cultural life of the

the second capitulary as part of Herstal. Without entering into all the details of the dating argument here, there are other ways to explain the manuscript transmission, which does not inevitably connect the two texts, and the other evidence argues, to my mind, for Ganshof's dating of 792–3. In any case, the point does not impact the argument here about the emphasis on Italy in early capitularies.

²⁶⁸ There are some interesting observations on this point in Bougard, *La justice*, pp. 25–9. See also, on the Lombard tradition of literate law, Everett, *Literacy in Lombard Italy*, chapter 4.

²⁶⁹ Ganshof, *Recherches sur les capitulaires*, pp. 102–3.

²⁷⁰ MacLean, "Legislation and Politics."

²⁷¹ To give one example: G. Brown, "Introduction: The Carolingian Renaissance," pp. 28–31.

Frankish kingdom under Charlemagne.²⁷² We may not go amiss in linking this openness to, and warm embrace of, foreigners to the governmental tendency to experiment in newly conquered lands, to impose on such lands, but also to learn from them. Such experimentation was itself mediated by individuals, Frankish or not, traveling between center and periphery, as well as by the movement of documents and ideas.

The extent of royal control in encouraging such "experimentation" as we have examined it here is not always entirely clear. Given Charlemagne's close ties to Arn, the court obviously prompted the Bavarian regional reform councils, a way of holding synods that was later taken up in Gaul. The first Italian example most likely involved the Franks adopting an Italian tool they thought might be useful in Francia too. Thus, the nature of Frankish control over the "experiments" in conquered lands could vary from pushing local figures toward such activities to swooping in and taking up a local practice already in force. Even if we cannot fully see the specific royal role played in shaping local activities in Italy and Bavaria, the trend toward using these tools in Francia after a first trial in the conquered regions is clear. Moreover, the examples examined here are just a few case studies. There are further examples of borrowing, such as the clarification of incest policy first in Italy, before Charlemagne expanded some new approaches to the rest of the kingdom.²⁷³ In none of the cases of borrowing or political experimentation that we might analyze can we find any smoking gun, any document that clearly states that something was borrowed from a conquered region. But the multiplicity of examples does reveal a consistent pattern.

I am not claiming here that this tendency to experiment was a considered policy as such. Rather the variable strategies we have seen in the examples studied, of innovation and adaptation, suggest instead an *ad hoc* response to the circumstances as they changed. The overall message of these examples is not of a premeditated response to new realms, but flexibility, willingness to try new things, an expansion of successful policies, suitably adapted, into Francia, and co-option of anything useful: Be it a judicial method, a person, or a type of text. The characteristics of governance derived from such a study tell us about the particular history of Italy and Bavaria, but also about trends in how Charlemagne and his advisers approached the task of ruling more broadly. The fact that the clearest examples of such experimentation come from Italy and Bavaria is

²⁷² For instance, on the foreign origins of the court poets: Godman, *The Poetry of the Carolingian Renaissance*, pp. 5–6.

²⁷³ See discussion of incest legislation under Charlemagne (though not in terms of borrowing) in Ubl, *Inzestverbot*, pp. 277–87.

surely not an accident, but a reflection of the sophistication and complexity of these regions before Charlemagne conquered them. It is an important point for us that the king and his advisers were not intimidated by this sophistication, but saw it as something from which they might profit. Of course this is not true of all aspects of administration in the conquered territories, some of which were a source of frustration for the Franks. But on the whole, the conquered regions provided a spur to creative rulership. Our usual assumption that the diversity of the Carolingian empire was a challenge to Charlemagne in his efforts to rule is not wrong, but the true character of the rulership he brought to his realm is perhaps more clearly revealed in the ways in which the king and his advisers managed to profit from this diversity.

Charlemagne spent two years intensively in Bavaria, in addition to his time there during the takeover in 787.²⁷⁴ He visited Italy five times during his more than forty years as king, the final visit coming in 800–1 for his imperial coronation.²⁷⁵ If we add up the time passed in these conquered regions, we will not end up with an especially impressive figure. Charlemagne spent the majority of his time in Francia, and indeed only in select parts of Francia. Yet, his empire was deeply shaped by the conquered regions: By what he learned there, and the freedom, and sometimes necessity, these places gave him to experiment. For Charlemagne, the conquered regions offered resources to be exploited, challenges to be surmounted, but also arenas for, and indeed stimuli to, innovation. Much of the flexibility that was so characteristic of how Charlemagne and his men exercised power was learned in the conquered regions. Moreover, Charlemagne welcomed foreigners to his service, and it is difficult to imagine his court without guiding figures like Alcuin or Theodulf of Orléans.²⁷⁶ Those from conquered regions who were willing to serve the king were welcomed, and even the disloyal could be forgiven.²⁷⁷ The king's openness to such newcomers was not always received well by his people, witness Einhard's comments on complaints about the king's generosity to foreigners.²⁷⁸ But the openness is

²⁷⁴ Royal Frankish Annals s.a. 791–3, pp. 86–94.

²⁷⁵ Charlemagne visited Italy in 773–4, 776, 780–1, 786–7, and 800–1. For details see Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, nos. 158b–167a, 198a–203a, 231a–243a, 279a–290b, 369a–374b.

²⁷⁶ On Alcuin, the starting point is Bullough, *Alcuin*. For basic orientation on Theodulf, see further references in [Chapter 6, Note 109](#). On the role of foreigners, see also Fried, *Karl der Grosse*, p. 401.

²⁷⁷ Such as the Lombard Aio; on whom see Krahwinkler, *Friaul im Frühmittelalter*, pp. 137–42; Hlawitschka, *Franken, Alemannen*, pp. 24, 113–14.

²⁷⁸ Einhard, *Vita Karoli*, c. 21, p. 26.

characteristic. Charlemagne and his men liked new things and new people, and were willing to learn from them, as long as they observed the main expectations of Carolingian governance.

An old image of early medieval Europe, largely derived from the work of Henri Pirenne, pictured the Carolingian world as a dark, stagnant place, where no one went very far.²⁷⁹ The image still recurs in the historiography.²⁸⁰ It is, however, incorrect. The economic arguments underlying Pirenne's work have been demolished.²⁸¹ The early Middle Ages can be reasonably argued to represent Europe at its most receptive to new influences and ideas.²⁸² Charlemagne's empire was open to the world around it, visible in the elephant Charlemagne received as a present from Harun al-Rashid and then took on campaign with him, or in the survey of the Holy Land the king ordered his *missi* to compile.²⁸³ Within this expansive Carolingian world, the new regions the king added to his empire were sources of both stimulus and challenge, and places where he learned to rule. We have seen indications of royal power in local settings and how the king made use of conquered regions. We now need to consider the centralizing processes by which center and region were held together, despite the diversity in Charlemagne's realm.

²⁷⁹ Pirenne, *Mohammed and Charlemagne*. ²⁸⁰ Riché, *Daily Life*, especially p. 3.

²⁸¹ For the continued impact of Pirenne, see the introduction and conclusion to McCormick, *Origins*.

²⁸² J.R. Davis and McCormick, "The Early Middle Ages."

²⁸³ On Charlemagne's elephant: Royal Frankish Annals s.a. 801 and 802, pp. 116 and 117; the elephant's death while on campaign is recorded in the Royal Frankish Annals s.a. 810, p. 131; for commentary: Hodges, "Charlemagne's Elephant"; Dutton, "Charlemagne, King of Beasts"; Hack, *Abul Abaz*. On the Holy Land survey: McCormick, *Charlemagne's Survey of the Holy Land*.

6 The nature of the empire: centralization and communication

We began this study by identifying two primary problems of empire, namely, delegation and balancing diversity and unity. This section of the book has already examined how Charlemagne and his men created an overarching imperial structure, within which regional diversity was not only tolerated but built on. Having established how regionalism was incorporated into the imperial structure, we must now think again about the nature of the imperial center. When considering the topic from the perspective of the court, scholars have persistently argued that one of the main goals of Charlemagne's rulership was to centralize and standardize.¹ This claim has been regularly asserted because there are indeed ways in which Charlemagne and his men did try to standardize and centralize. Yet, there were also distinct limits to these efforts. These gaps in standardization and centralization have been widely recognized by historians.² To give just one example, a body of innovative scholarship on the liturgy in the Carolingian period has made it abundantly clear that the reality of liturgical sources demonstrates a tremendous amount of variety in local liturgical practice, coupled with only limited aspects of standardization.³ Recent scholarship on the Carolingian world in general has moved from the observation of diversity in practice to a rethinking of unity as norm. This research has underlined that the diversity was not necessarily a problem, either in fact or as ideological construct.⁴ When some of the traditional sources are read again, we can see that requests for unity are more limited than earlier scholars thought and that they are confined to specific circumstances and topics.

When we turn to political practice in particular, the practical gaps in centralization and standardization are blatantly clear and have been long

¹ Classically, Ganshof, "The Last Period of Charlemagne's Reign," pp. 249–50.

² See, for example, the even-handed discussion in Innes, "Charlemagne's Government."

³ See p. 175 for references on liturgical diversity.

⁴ For instance, see Schieffer's argument that unity, to the extent it existed, was accidental rather than consciously cultivated: Schieffer, "Karl der Große—Intentionen und Wirkungen," and further in [Chapter 8](#), pp. 404–5.

recognized.⁵ However, it has not been fully appreciated that in the case of politics, as in the case of liturgy, standardization was not fully desired, much less fully achieved. Charlemagne and his men did not attempt to introduce order and regularity into all aspects of life in the empire. Rather, they worked toward unity and regularity only in certain limited circumstances, and far more often built on the regional diversity they had no chance of ever eliminating. This created a kind of imperial unity, but a unity that was founded on difference. The issue is not just that there was a contrast between expressions of political unity on an ideological level combined with toleration of irregular local administration, as scholars have often noted. Instead, we need to reconsider unity on both an ideological and administrative level, and, in so doing, analyze in new terms what held the empire together. We will explore the nature of the imperial center of Charlemagne's empire by rethinking the ways in which the king and court sought to centralize and standardize. The chapter begins with a case study of imperial governance in action, which illuminates a few key points about imperial cohesion, namely, an emphasis on centralization over standardization (and the analytical need to untangle the two) and an interest in communication over any kind of uniformity. We will next consider some structural limits on standardization in Charlemagne's empire. If there was little standardization, what then held the empire together? The chapter will answer this question by examining two aspects of Carolingian society usually assumed to reveal standardization and centralization at their height, namely, literate administration and the use of royal palaces. These examples will emphasize the court's focus on centralization and communication, and will allow us to reconceptualize what bound together the empire.

The imperial system in action: a case study of communication

A document edited with the capitularies provides an apt illumination of how imperial governance actually worked, and the kind of unity it either stimulated or assumed. The text, which is unique among the surviving documents of Charlemagne's reign, is a series of replies by the king to questions sent to him by a *missus*.⁶ The existence of this document in and

⁵ As the works cited in Notes 1–4 make clear.

⁶ *Capit.* I, no. 58, pp. 145–6. The closest parallel is a response by a court official to a *missus*' questions: See Pokorný, "Eine Brief-Instruktion." A similar document also survives for the reign of Louis the Pious: *Capit.* I, no. 155, pp. 314–15. For discussion of the responses, see McKitterick, *Charlemagne*, p. 219; Nelson, "The Voice of Charlemagne," p. 80; Fried, *Karl der Grosse*, pp. 242–3.

of itself is an excellent illustration of the success of Charlemagne's efforts to encourage loyal service and to insist on centralization.⁷ When faced with a series of problems, the anonymous *missus* has clearly kept a list of issues and sent them to the court, in writing, and received back, also in writing, a list of replies.⁸ In addition to serving as an example of literate administration and centralization, the text also reveals the implementation of the capitularies, the intertwining of orality and literacy in Carolingian administration, and the demands of service Charlemagne placed on his men.

The responses of the king are in reaction to eight *capitula* posed by the *missus*. The issues at hand involve judicial process; social status and freedom; and bridges and tolls.⁹ The list of topics itself is evidence of the concerns of the court being played out locally. These are all topics that are frequently legislated upon in the capitularies.¹⁰ The fact that the *missus* raises questions about these issues, then, suggests that they were indeed being debated in the regions of the empire, although the previous consideration of these issues has clearly not equipped the *missus* to find the answers on his own.¹¹ The evidence is indirect, but it provides powerful support for the argument that the concerns expressed in the capitularies were implemented locally, if imperfectly. The *missus*, as he appears in the responses to his questions, interacts with counts, bishops, abbots, *scabini*, and much humbler people;¹² that is, with a cross-section of local society, exactly as is envisaged in the normative capitularies. Moreover, the expectation in the capitularies that communication

⁷ It survives in only two manuscripts, namely, Paris, Bibliothèque Nationale, lat. 9654 (on which see Mordek, *Bibliotheca*, pp. 562–78) and Vatican, Biblioteca Apostolica Vaticana, Pal. Lat. 582 (Mordek, *Bibliotheca*, pp. 780–97). I am not convinced by West's claim that this later manuscript evidence helps us localize the original set of questions. West also argues the author is a count, which is likely true, but I do think he acts here as a *missus*, given the hints of oversight responsibilities in the document: Compare C. West, *Reframing the Feudal Revolution*, p. 21.

⁸ *Capit.* I, no. 58, c. 6, p. 145, cited in Note 17, makes clear reference to written transmission.

⁹ For instance, *Capit.* I, no. 58, c. 7 on proving social status in front of *scabini* or c. 6 on old bridges and illicit tolls, both p. 145.

¹⁰ Other capitulary examples include, on judicial process: *Capit.* I, no. 90, c. 3, p. 190; on social status: *Capit.* I, no. 41, c. 9, p. 118; on tolls: *Capit.* I, no. 46, c. 10, p. 132.

¹¹ The language suggests problems arising from particular cases. For example: *Capit.* I, no. 58, c. 1, p. 145: "Continebatur namque in primo capitulo, utrum, ubi colonam servus cuiuslibet uxorem acceperit, infantes illorum pertinere deberent ad illam colonam an ad illum. Considerera enim, si proprius servus tuus alterius propriam ancillam sibi sociaverit, aut alterius servus proprius tuam propriam ancillam uxorem acceperit, ad quem ex vobis eorum procreatio pertinere debeat, et taliter de istis fac; quia non est amplius nisi liber et servus."

¹² *Capit.* I, no. 58, chapters 2, 5 (for both bishops and abbots), 7, and 8 respectively.

between the king and his men involve both writing and face-to-face contact is amply illustrated in the text.¹³ The questions and responses were in writing. The responses foresee continued reliance on literate administration, for example when the *missus* is told to search the Salic and Roman laws for answers to some of his questions.¹⁴ Another example relates to a question about those of high status who have refused to attend the *missus' placitum*. The *missus* should record the names of such delinquents and then announce them at the king's assembly.¹⁵ Several of the chapters related to issues of social status assume that those trying to assert their status will possess charters attesting to their freedom.¹⁶ Yet, the document also assumes oral communication. For instance, one chapter refers to instructions the king gave to the *missus* "with our own mouth."¹⁷ The expression is found only occasionally in the capitularies, but in precise enough contexts to assume that it was genuinely meant.¹⁸ The responses to the *missus* thus reveal a close correspondence with the expectations set out in the capitularies, including the dependence on a combination of written and oral communication between king, agent, and locality.

Perhaps even more important, this document gives us a precious window into the nature of royal service. The author of the now lost questions that lie behind the responses clearly was working hard: He was involved in hearing cases, in trying to get aristocrats to heed his authority, in maintaining order, and in following his instructions. He faced many challenges in his endeavors, especially from those who refused to respect his authority.¹⁹ Charlemagne expected a lot from the

¹³ See the section on literate administration in this Chapter for multiple examples.

¹⁴ *Capit.* I, no. 58, c. 2, p. 145: "De secundo unde me interrogasti, si comes de notitia solidum unum accipere deberet et scabinii sive cancellarius. Lege Romanam legem, et sicut ibi inveneris exinde facias; si autem ad Salicam pertinet legem et ibi minime repereris quid exinde facere debeas, ad placitum nostrum generale exinde interrogare facias."

¹⁵ *Capit.* I, no. 58, c. 5, p. 145: "In quinto autem capitulo referebatur de episcopis, abbatibus vel ceteris nostris hominibus qui ad placitum vestrum venire contempserint. Illos vero per bannum nostrum ad placitum vestrum bannire faciatis; et qui tunc venire contempserint, eorum nomina annotata ad placitum nostrum generale nobis repraesentent."

¹⁶ *Capit.* I, no. 58, c. 7 and c. 8, pp. 145–6.

¹⁷ *Capit.* I, no. 58, c. 6, p. 145: "In sexto autem capitulo scriptum erat de pontibus antiquis constitutis vel de illicitis teloneis. Unde praecipimus, ut ubicumque antiqua consuetudo fuit teloneum accipiendi teloneum legitimum accipiant. Nam et hoc antea vobis ore proprio iniunximus et nequaquam intellexistis."

¹⁸ Nelson, "The Voice of Charlemagne."

¹⁹ For instance, *Capit.* I, no. 58, c. 4, p. 145: "In quarto namque capitulo declarabat de his qui prima, secunda, tertia vice maniti ad vestram praesentiam venire nolunt. Similiter de ipsis praecipimus, quid ex his facere deberet." See also c. 5, as cited in Note 15.

missus, such as telling him to look up in Roman and Salic law the answer to a question about what kinds of fees a count or other agent can accept.²⁰ Only if the *missus* cannot find the answer in the legal texts should he raise the issue at the king's *placitum*. The insistence on independent action is notable, though explicable given the size of the empire and the king's clear inability to micromanage, despite occasional attempts to do so. Given the state of ninth-century legal manuscripts, many of which have minimal finding aids, the king set a high bar for the *missus*.²¹ Similarly, despite the evidence of energetic action by the *missus*, he clearly did not, in all respects, live up to the king's expectations. In response to a question about bridges and tolls (important for both economics and communications), the king snapped: "For we commanded this to you previously with our own mouth and you did not understand at all."²² Charlemagne appears in this passage as a rather difficult boss.

This document reveals for us a loyal agent, a demanding king, a fulfilling of capitulary requirements, and a ruler more focused on broad concerns rather than specific details. Most of what Charlemagne answers relates to process: To basic principles like only exacting tolls where they have traditionally been levied,²³ or to how to respond to a situation, such as looking up the answer oneself²⁴ or ordering those who miss assemblies to come according to the king's ban,²⁵ and then reporting those who still persist in their disobedience.²⁶ We see here the essence of the king's efforts to encourage centralization and standardization. The communication between king and *missus* goes both ways and is both written and oral. The expectations of administration are similarly both written and oral. The nature of what the *missus* is told to do focuses on major concerns over small details. The questions of the *missus* all relate to issues stressed by the capitularies, but the particular combination arose out of a combination of the *missus*' own interests and the circumstances of his *missaticum*. Perhaps most of all, if this anonymous *missus* was

²⁰ *Capit.* I, no. 58, c. 2, p. 145, as cited in Note 14.

²¹ For an example of what such a book for a *missus* like ours could have looked like, see Paris, Bibliothèque Nationale, lat. 4404 (described in Mordek, *Bibliotheca*, pp. 456–63), which has a table of contents. Nonetheless, finding particular information in this book would not be simple. Despite Mordek's suggestion, it is not clear to me that this was necessarily made for a king. In any case, the table of contents in this book is about as much help as a *missus* could have expected. On missatical books in general, see McKitterick, "Charlemagne's *Missi* and Their Books."

²² *Capit.* I, no. 58, c. 6, p. 145, as cited in Note 17.

²³ *Capit.* I, no. 58, c. 6, p. 145, as cited in Note 17.

²⁴ *Capit.* I, no. 58, c. 2, p. 145, as cited in Note 14.

²⁵ *Capit.* I, no. 58, c. 5, p. 145, as cited in Note 15.

²⁶ *Capit.* I, no. 58, c. 5, p. 145, as cited in Note 15.

typical of the king's agents, we see in microcosm the reason for much of Charlemagne's success. The *missus* may have failed to implement his instructions regarding tolls, but he had clearly put much time and energy into bringing the word of the king into his *missaticum*. Despite Charlemagne's evident frustration at times with this *missus*, if this document reflects the level of service and competence the king generally received from his agents, then Charlemagne was surprisingly well served by his men.

This unusual document has little to tell us about standardization, and in fact emphasizes the individual and the particular in Carolingian governance. On the other hand, it reveals a strong amount of centralization in its reflection of communication back and forth between king and *missus* and its expectations of continued communication. It offers us a vision of imperial governance in action, of governance defined by minimal standardization, extensive centralization, local particularity, and frequent contact with the king. Unity in Charlemagne's realm stemmed from centering political culture on himself and fostering contact with his people, not on trying uselessly to enforce uniformity or regularity.

The limits of standardization

If there was little standardization in Charlemagne's realm, we do need to ask why. The primary answer is that efforts at standardization in Charlemagne's empire were constrained by several kinds of limitations. The first of these is that the ways in which Charlemagne and his men sought to rule were not generally conducive to standardization. Indeed, many of the patterns of rulership we have traced in this book exacerbate the limits of standardization. For instance, the multiple delegation we examined in terms of judicial process was aimed at assuring that royal justice was served in many ways, rather than one. This might have its uses in terms of multiplying the availability of courts and possible outcomes of cases, but was not going to aid in standardizing the process. Similarly, Charlemagne and his men's predilection for innovation and tendency to work around rather than solve problems would result in variations in governance, not standardization. The lack of any kind of grand plan that we will examine in [Part III](#), and dependence instead on reactivity and contingency, again limit the possibility for standardization in Charlemagne's rulership. The combination of institutional expectations and personal carrying out of office is yet another example, as it resulted in office being performed differently by different office holders. The building on regional diversity we examined in [Chapters 4 and 5](#) additionally encouraged regional difference within the imperial structure and thus

worked against standardization. In short, the patterns of rulership that structured royal governance in fact posed significant limits on the kind of standardization Charlemagne might have attempted. But beyond these practical obstacles can be discerned further limits on standardization. Charlemagne may not have been able to enforce standardization, but standardization was not inevitably what the king and court were attempting to achieve.

In the *epistola de litteris colendis*, a text that helped stimulate the Carolingian Renaissance,²⁷ Charlemagne reminds the ecclesiastics of his empire of the importance of praying correctly.²⁸ If one gets the words wrong, there is no guarantee God will understand.²⁹ The passage has been much commented upon, in particular in terms of its insistence on correct form of prayer.³⁰ It is also a text about uniformity, about standardization, and indeed about centralization. All the ecclesiastical institutions in the empire are part of a network of prayer, in which all must do their part to contribute to the overall salvation and success of the Frankish kingdoms.³¹ For the prayers offered by these institutions to be successful, they must be correct. Concern about praying properly resulted in a broad movement of ecclesiastical reform, ranging from the development of schools, to the patronage of poets, to the copying of rare manuscripts.³² The idea behind the *de litteris colendis* depended on a

²⁷ Contreni, "The Carolingian Renaissance: Education and Literary Culture," pp. 709–10; T. Martin, "Bemerkungen zur 'Epistola de litteris colendis,'" pp. 227, 246–7, 270–2.

²⁸ Despite Martin's arguments about stages of composition, I do think the text was always meant for the empire at large. Compare T. Martin, "Bemerkungen zur 'Epistola de litteris colendis,'" pp. 252–4.

²⁹ *Capit.* I, no. 29, p. 79, especially lines 30–7; also ed. T. Martin, "Bemerkungen zur 'Epistola de litteris colendis,'" pp. 233–4, which I cite here, from the Oxford manuscript: "Quamobre(m) ortamur vos litterarum studia non solum n(on) neglegere, veru(m) etia(m) humil(l)ima et d(e)o placita intentione ad hoc certatim discere, ut facilius et rect(iu)s divinarum scripturarum misteria [valeatis] penetrare. Cum enim in sacris paginibus scemata, figure, tropi et cetera his simil[ia in]ser[ta] inveniantur, nulli dubium, q(uo)d ea unusquisque legens tanto ci[t]ius spiritualiter intellig[it], qu[an]to prius in litteraturae magisterio plenius instructus fuerit. Tales v(er)o ad hoc [op]us viri [e]ll[igantur,] qui et voluntatem et possibilitate(m) discendi et desideriu(m) habeant alios instru[endi.]" See discussion in McKitterick, "The Carolingian Renaissance of Culture and Learning," pp. 153–4. For a similar idea about proper prayer, see also *Capit.* I, no. 22, c. 72, p. 69 (also ed. AG, c. 70, p. 224, which I cite here): "quia sepe dum bene aliqui deum rogare cupiunt, sed per inemendatos libros male rogant."

³⁰ For instance, Angenendt, "Libelli bene correcti," p. 129 (pp. 237–8 in the reprint).

³¹ See also discussion of the importance placed on salvation in Charlemagne's governance in Chapter 8, pp. 397–9.

³² On the broad scope of the Carolingian Renaissance, see the overviews in: G. Brown, "Introduction: The Carolingian Renaissance"; Contreni, "The Carolingian Renaissance: Education and Literary Culture"; Contreni, "The Carolingian Renaissance"; McKitterick, "The Carolingian Renaissance of Culture and Learning."

unified vision for salvation, but the results were complex and multifaceted. The combination reveals the fundamental nature of standardization in Charlemagne's empire. The king and court indeed identified a few areas where uniformity was essential, such as directing the prayer resources of the empire. These areas were, however, limited and focused on broad concerns, such as salvation, rather than on practical details. The realization of said goals was far more varied and diverse. The example of the *de litteris colendis* illuminates both the primary limits of standardization in Charlemagne's realm, namely, an interest in standardizing only in relation to essential, and broadly defined, issues, and an approach predicated on variable means. We will consider each type of limit in turn.

The first category of limits of standardization is that it was only attempted in terms of major concerns, the "big ticket items" of Frankish governance.³³ As usual, Charlemagne's governance was pragmatic. Standardization was a goal only in the most important contexts. Less important matters were never subjected to the same level of royal oversight and supervision. Efforts to encourage the use of the Rule of St. Benedict are a case in point. The later history of monastic reform under Louis the Pious makes clear the direction the Frankish empire was going, namely, the adoption of the Rule of St. Benedict as the sole standard for monastic community in the West.³⁴ The actual widespread adoption of the Rule was the result of many decades of development and resistance, but the concerted effort to foster it was a shared goal of many Carolingian regimes.³⁵ The aim goes back to Charlemagne, but only in more limited form. The king was deeply interested in the Rule, and we see signs that Charlemagne and his advisers thought it the preferable basis for monastic life.³⁶ But what laws coming out of the court of Charlemagne typically say is that monasteries have to follow a Rule.³⁷ Clearly following *the* Rule was what the king and his men wanted, but it

³³ Generally, on the flexibility of Frankish legal and political structures, see Fouracre, "Carolingian Justice," p. 794.

³⁴ Louis' monastic legislation is edited in *Corpus consuetudinum monasticarum*, ed. Hallinger, vol. 1; see also the bibliographical references in Note 38.

³⁵ There is an excellent narrative of the reforms in de Jong, "Carolingian Monasticism," pp. 629–34, with further references.

³⁶ Classic account in Semmler, "Karl der Große und das fränkische Mönchtum," especially pp. 262–7.

³⁷ For instance: *Capit.* I, no. 33, c. 17, p. 94: "Monachi autem, ut firmiter ac fortiter secundum regula vivant, quia displicere Deo novimus quisquis in sua voluntate tepidus est"; *Capit.* I, no. 77, c. 1, p. 170: "Et ut monachi per verbum episcopi et per regimen abbatis et per bona illorum exempla regulariter vivant, prout loca locata sunt." Other passages make it clear the Rule means the Rule of St. Benedict. For example: *Capit.* I, no. 28, c. 14, p. 75: "Ut cellarii in monasteriis avari non elegantur, sed tales electi sint

was Louis the Pious and his court who insisted on the point.³⁸ We can appreciate the difference by looking at two documents associated with an assembly in 811.³⁹ The first is a series of issues meant to be presented for debate to the assembled lords, secular and ecclesiastic.⁴⁰ The second is a series of notes on what the aristocrats actually discussed.⁴¹ Chapter 12 of the meeting agenda raises the question of the historical development of monasticism in the West and of whether or not all monks must be Benedictine: "About the life style (*conversatione*) of monks, and whether people are able to be monks except for those who observe the rule of St. Benedict. It is also to be investigated, if there were monks in Gaul, before the tradition of the rule of St. Benedict arrived in these regions."⁴² The assembly took up the question, but without offering a complete resolution: "By which rule monks lived in Gaul, before the rule of St. Benedict was transmitted there, because we read about St. Martin, that he was a monk and he had monks under him, and he lived a long time before St. Benedict."⁴³ Clearly, one could have monks without Benedict. What was then to be done? Charlemagne and his men confined themselves to legislating that monks and nuns follow a rule. *Regula* in Latin can be a rule just as easily as it can be *the* rule. Charlemagne and his advisers may have preferred the use of Benedict, but all they insisted on was that monks follow some kind of rule. The battle for the exclusive use of Benedict was left to the future. Charlemagne and his men thus standardized monastic life, but only in relation to major issues, to the "big ticket items" to which I have referred.

The second limit of standardization we can discern relates to the methods of enforcing standardization. Even in cases where standardization was a goal, efforts to encourage it almost inevitably left room for some degree of local variation. A few examples can illustrate the nature

quales regula sancti Benedicti docet."; see also *Capit.* I, no. 37, c. 23, p. 108 and c. 24, pp. 108–9.

³⁸ On Louis' reform, see Semmler, "Benediktinische Reform und kaiserliches Privileg"; Semmler, "Reichsidee und kirchliche Gesetzgebung," and his introductions to the texts in *Corpus consuetudinum monasticarum*, ed. Hallinger, vol. 1.

³⁹ *Capit.* I, no. 71, pp. 161–2; *Capit.* I, no. 72, pp. 162–4.

⁴⁰ *Capit.* I, no. 71, c. 1, p. 161: "In primis separare volumus episcopos, abbates et comites nostros et singulariter illos alloqui."

⁴¹ On these texts, see Nelson, "The Voice of Charlemagne," pp. 80–4.

⁴² *Capit.* I, no. 71, c. 12, pp. 161–2: "De conversatione monachorum, et utrum aliqui monachi esse possint praeter eos qui regulam sancti Benedicti observant. Inquirendum etiam, si in Gallia monachi fuissent, priusquam traditio regulae sancti Benedicti in has parroechias pervenisset."

⁴³ *Capit.* I, no. 72, c. 12, p. 164: "Qua regula monachi vixissent in Gallia, priusquam regula sancti Benedicti in ea tradita fuisset, cum legamus sanctum Martinum et monachum fuisse et sub se monachos habuisse, qui multo ante sanctum Benedictum fuit."

of this second limit on standardization. A major concern of the Carolingian reform movement was to encourage greater and stricter observance of the lord's day.⁴⁴ The capitularies insist that no work be done on Sundays, and that the population observe the holy day.⁴⁵ No markets should be held either, unless there is an old and legitimate tradition to do so.⁴⁶ The basic principle of limiting worldly activity on Sundays is regularly expressed in both royal and episcopal sources.⁴⁷ Yet, in practice, sources emanating from the royal court left plenty of room for local traditions that would minimize efforts at encouraging standardization. Royal arrangements for the kingdom also left room for difficulties in implementation. For example, the trend in Carolingian legislation is to encourage any and all problems to be referred directly to Charlemagne.⁴⁸ In matters involving the weak, the necessity for royal protection is constantly evoked.⁴⁹ However, if this is not possible, the *missi* are told to investigate the matter locally.⁵⁰ In short, even general preferences for how things should be done in the empire were limited by a recognition of local difference and the pragmatism to accept that sometimes the favored course would be impossible. This willingness to recognize limits of possibility and the persistence of local particularity constitutes the second main limit to standardization in Charlemagne's reign.

When Agobard of Lyons wrote that one empire should have only one religion and only one law, he may have been going too far for his contemporaries in the empire of Louis the Pious.⁵¹ But he was not out

⁴⁴ Overview in de Clercq, *La législation religieuse*, pp. 307–8.

⁴⁵ For example: *Capit.* I, no. 22, c. 15, p. 55 (also ed. *AG*, c. 15, p. 192); *Capit.* I, no. 35, c. 46, p. 104; *Capit.* I, no. 59, c. 11, p. 146.

⁴⁶ *Capit.* I, no. 61, c. 8, p. 149: "Ut mercatus die dominico in nullo loco habeatur nisi ubi antiquitus fuit et legitime esse debet."

⁴⁷ Note 45 for capitulary references. For episcopal and conciliar legislation on observing Sundays, examples include: *Concilium Foroiulense*, in *Conc.* II, c. 13, pp. 194–5; *Concilium Moguntienense*, in *Conc.* II, c. 37, p. 270; *Concilium Cabillonense*, in *Conc.* II, c. 50, p. 283; *Concilium Turonense*, in *Conc.* II, c. 37, p. 291. In episcopal capitularies: Ghaerbald of Liege, second capitulary, *CEP* I, c. 5, pp. 27–8; Theodulf of Orléans, first capitulary, *CEP* I, c. 23, pp. 121–2.

⁴⁸ See discussion in Chapter 1 pp. 59, 63 for numerous examples.

⁴⁹ On protection of the weak: *Capit.* I, no. 33, chapters 1, 5, 14, and 40, pp. 91–2, 93, 94, and 98–9 respectively (c. 14 is re-edited in Mordek, "Quod si se non emendat, excommunicatur," p. 180); *Capit.* I, no. 34, c. 19, p. 101 (also ed. Eckhardt, "Die Capitularia missorum specialia," p. 504); *Capit.* I, no. 35, c. 59, p. 104; *Capit.* I, no. 59, c. 1, p. 146; *Capit.* I, no. 64, c. 20, p. 154; *Capit.* I, no. 68, c. 1, p. 157; *Capit.* I, no. 69, c. 3, p. 158; *Capit.* I, no. 89, c. 7, p. 189; *Capit.* I, no. 90, c. 1, p. 190.

⁵⁰ *Capit.* I, no. 77, c. 2, p. 171: "Ut ecclesiae, viduae, pupilli per bannum regis pacem habeant. Sin aliter, in praesentia nostra hoc veniat, si fieri potest; sin autem, missi nostri investigent illud quomodo gestum sit."

⁵¹ Agobard, *Adversus legem Gundobadi*.

of step with the ideology of Louis' reign.⁵² His vision, however, has no resonance for the empire of Charlemagne. In evaluating the nature of Charlemagne's empire, we must separate out the centralization that held it together from any expectations of standardization. It is no doubt true that Charlemagne would have failed had he tried generally to standardize political life in his empire. However, it has been less appreciated that he never tried, and indeed that such standardization was rendered impossible by the patterns of political action that structured his rulership. His version of unity depended instead on centralization and political communication. By turning now to two traditional examples of standardizing and centralizing, we can see the distinction, and what we gain by thinking about unity of the empire in terms of the king as a centripetal force and in terms of communication, rather than in terms of standardization or regularity.

Literate administration

The area of political life where concern for centralization and standardization might seem to be most immediately evident is in the realm of written administration. The tradition of literate administration that was a defining feature of the Roman empire never entirely died out in the West.⁵³ Despite deep debates among historians over the survival of Roman administrative structures into the early Middle Ages, the basic point that there was some maintenance of the use of writing in governance remains clear.⁵⁴ During the Merovingian period, the use of writing may well have become a more local, rather than a general and centralizing, factor, as under Rome, but it never entirely faded away either.⁵⁵ One of the factors that distinguishes the Merovingian period from the Carolingian, despite recent warnings that we should not draw too hard and fast a line between these dynasties, is the profusion in written texts.⁵⁶ Vagaries of survival obviously matter, but the jump from written texts produced under the Merovingians to those

⁵² For a reinterpretation of Agobard's role in the tumultuous events of Louis' reign, see Booker, *Past Convictions*, *passim*, with ample attention to previous historiography and problems of interpretation posed by this controversial figure.

⁵³ McKitterick, *The Carolingians and the Written Word*, p. 23.

⁵⁴ These debates have particularly turned on the survival of Roman financial structures. For the strongest statement of administrative continuity, see Durliat, *Les finances publiques*. On the difference between the Merovingians and Carolingians in terms of literate administration: Ganshof, "The Use of the Written Word," p. 125.

⁵⁵ Nelson, "Literacy in Carolingian Government," p. 261 (p. 4 in the reprint).

⁵⁶ McKitterick, *The Carolingians and the Written Word*, p. 33. On the connections between the dynasties, for instance, Richter, "Die 'lange Machtergreifung'," emphasizing the slow and gradual transition.

produced under the Carolingians is huge.⁵⁷ A preference for literate administration and efforts to gather and use much more information are characteristic features of Carolingian rulership.⁵⁸ This is a well known story, and one that has been illuminated by the recent investigations of Rosamond McKitterick and Jinty Nelson.⁵⁹ However, looking in more detail at a few features of this literate administration under Charlemagne helps us see what was particular about this king's approach to the use of writing in governance and political life, and provides a window into questions of imperial cohesion.

The first and most obvious feature of Charlemagne and his advisers' approach to the use of writing in governance is the real thirst for information evident in our sources.⁶⁰ Regardless of the valid questions historians have raised about how information was used and put into effect, the constant requests for information, the many new kinds of documents, and the persistent assumption that governance should be conducted at least partly in writing (itself an ideological statement of how the king and court thought the realm should be run) are important.⁶¹ However, we

⁵⁷ Nelson, "Literacy in Carolingian Government," pp. 261–2 (pp. 4–5 in the reprint), on difference in amount of documentation. On lost sources, see, for example, on lost Merovingian capitularies: I.N. Wood, *The Merovingian Kingdoms*, pp. 104–8.

⁵⁸ McKitterick, *The Carolingians and the Written Word*, pp. 23–37; Nelson, "Literacy in Carolingian Government," pp. 272–96 (pp. 14–36 in the reprint). For one example of a preference for literate administration, see *Capit.* I, no. 50, c. 8, p. 138. On gathering information, such as the books received from the pope; for example, *Codex Carolinus*, letter 24, here p. 529: "Direximus itaque excellentissime praecllentiae vestrae et libros, quantos reperire potuimus: id est antiphonale et responsale, insimul artem grammaticam Aristolis, Dionisii Ariopagitis geometricam, orthografiam, grammaticam, omnes Greco eloquio scriptas, nec non et horologium nocturnum." See also letter 89, p. 626, which records that Pope Hadrian has sent Charlemagne a sacramentary and letter 3, pp. 479–87, which contains a collection of canons sent to Francia. Some of the references to letters in the *Codex Carolinus* in this chapter come from letters sent to Charlemagne's predecessors. As all of them were selected for Charlemagne's own collection of this correspondence, I think we can use them as evidence for his concerns.

⁵⁹ See now W.C. Brown, Costambeys, Innes, and Kosto (eds.), *Documentary Culture*, for developments in the early Middle Ages.

⁶⁰ For example, *Capit.* I, no. 71, c. 5, p. 161: "Interrogandi sunt, in quibus rebus vel locis ecclesiastici laicis aut laici ecclesiasticis ministerium suum impediunt. In hoc loco discutiendum est atque interveniendum, in quantum se episcopus aut abbas rebus secularibus debeat inserere vel in quantum comes vel alter laicus in ecclesiastica negocia. Hic interrogandum est acutissime, quid sit quod apostolus ait: 'nemo militans Deo implicet se negotiis secularibus', vel ad quos sermo iste pertineat." For the general context of need for information, see Gravel, *Distances, rencontres*, pp. 146–55.

⁶¹ See, for instance, the careful discussion of the limits of effectiveness by Mordek, "Karolingische Kapitularien," pp. 44–9 (pp. 74–9 in the reprint). On constant requests for information, for example, *Capit.* I, no. 79, c. 1, p. 175; on new documents: Ganshof, "The Use of the Written Word," pp. 126–32; on governance via writing, for example,

can look at this thirst for information more closely to see what specific kinds of information Charlemagne wanted.

The quest for information

The first realm in which an emphasis on literacy is evident is the economic, in the management and structuring of estates.⁶² Efforts to do better at running estates and keeping track of what the king owned were linked to economic advances in agriculture and estate management, but also reveal something about literate administration.⁶³ We can see traces of this literate administration in the economic realm in capitularies regulating the conduct of estate managers and in efforts to record the details of benefices held from the king.⁶⁴ The revival of keeping estate records seems to stem from the court, and was then taken up by ecclesiastical institutions on their own behalf.⁶⁵ Such economic management on this scale had not been attempted in centuries, and thus we should not wonder at gaps in enforcement, evident in the incomplete state of records and their infrequent production, questions about the

Capit. I, no. 50, c. 8, p. 138; and on the ideology of writing: McKitterick, *The Carolingians and the Written Word*, pp. 27–37.

⁶² Nelson, "Literacy in Carolingian Government," p. 272 (p. 14 in the reprint). Paul Fouracre argues we should not overstate the difference between Carolingians and Merovingians in managing resources: Fouracre, "Comparing the Resources," but it seems to me that there were significant differences not just in effectiveness and confidence as Fouracre claims, but in technique and scope. For an excellent overview, see Devroey, "Ordering, Measuring, and Counting." There is also a full discussion of the use of documents in Carolingian administration, especially economic administration, in B.S. Bachrach and D.S. Bachrach, "Continuity of Written Administration." I argue here for less regularity in such administration than do the Bachrachs.

⁶³ McKitterick, *The Carolingians and the Written Word*, pp. 161–3.

⁶⁴ *Capitulare de villis*, *Capit. I*, no. 32, pp. 83–91 (also ed. *CdV*, pp. 56–63) is of course the most famous example of instructions for estate managers; for benefices, see, for example, *Capit. I*, no. 34, c. 11, 100 (also ed. Eckhardt, "Die Capitularia missorum specialia," pp. 501–2).

⁶⁵ For estate records: Such as the Imperial polyptych, in *Bündner Urkundenbuch I*, ed. Meyer-Marthaler and Perret, pp. 375–96; on revival of such records: Nelson, "Literacy in Carolingian Government," pp. 274–8 (pp. 14–19 in the reprint); and for ecclesiastical institutions taking up the practice, for example, the Statutes for Corbie put together by Abbot Adalhard: *Consuetudines Corbeiensis*, ed. Semmler. It is possible that the court borrowed from monastic practice of keeping records. However, the fact that the royal sources, on the whole, predate the monastic ones suggests that monastic practices were modeled on royal ones. Devroey discusses the possibility that the polyptychs surveying ecclesiastical land might have been based on Roman precedent: Devroey, "Ordering, Measuring, and Counting," p. 7. He sees these records as chronologically earlier, but it seems to me most of the royal sources predate the majority of the polyptychs. For an overview of estate surveys in the early Middle Ages, see R.H.C. Davis, "Domesday Book: Continental Parallels."

probity and ability of estate managers, and the disorganization of some texts addressing economic management.⁶⁶ The fact that we have any such records at all is worth highlighting, given the changes in landholding over the centuries. Recent archaeological research is beginning to suggest that most European villages have Carolingian roots. Even if the settlement structures of the countryside have not changed as much as we used to think they had, there were enough changes in estate organization and ownership to make most economic surveys contingent, temporary documents.⁶⁷ Economic records of this nature were especially unlikely to survive, so our documents, while incomplete, are notable for having survived at all.⁶⁸ Furthermore, these royal efforts to record land were part of a broader effort by the king and court to describe and understand the empire, evident as well in commands to list who is coming and going especially in conquered regions, and to note the location of old markets and toll stations.⁶⁹ These economic administrative efforts reveal the

⁶⁶ Given the time elapsed since such management had been attempted, we must remember that it would take several generations to become routine. On developments in such records: Nelson, "Literacy in Carolingian Government," pp. 274–5 (pp. 15–16 in the reprint); Devroey, "Ordering, Measuring, and Counting," pp. 7–14. On incomplete records, for example, the surveys included in the *Brevium exempla ad describendas res ecclesiasticas et fiscales*, *Capit.* I, no. 128, pp. 250–6 (also ed. Brühl, *CdV*, pp. 49–55), are incomplete, inconsistent, and sometimes leave gaps in the documents; the records we do have are occasional, not annual, limiting careful accounting; on the probity, or lack thereof, of estate managers: *Capit.* I, no. 32, c. 3, p. 83 (also ed. *CdV*, p. 56); on disorganization of economic texts: Verhulst, *The Carolingian Economy*, p. 127. For a recent reinterpretation of Charlemagne's economic legislation, citing earlier literature, see Campbell, "The *Capitulare de Villis*." For the lack of full accountability in these Carolingian records and an argument about the development of such accountability later in the Middle Ages, see Berkhofer, *Day of Reckoning*.

⁶⁷ On the development of the countryside, see, for instance, overviews in Francovich and Hodges, *Villa to Village*, or Cuisenier and Guadagnin et al. (eds.), *Un village au temps de Charlemagne*.

⁶⁸ The letters from estate owners which would have been necessary for management also survive in small numbers; see Garrison, "'Send More Socks,'" pp. 94–5. Although compare the positive assessment of economic surveys in Nelson, "Literacy in Carolingian Government," pp. 274–5 (pp. 15–16 in the reprint), and of the skills required to regularly divide land in various ways as part of succession arrangements: Nelson, "Le partage de Verdun," pp. 248–50.

⁶⁹ For example, to organize financial matters: *Capit.* I, no. 44, c. 13, pp. 124–5: "De teloneis placet nobis, ut antiqua et iusta telonea a negotiatoribus exigantur, tam de pontibus quam et de navigiis seu mercatis; nova vero seu iniusta, ubi vel funes tenduntur, vel cum navibus sub pontibus transitur seu et his similia, in quibus nullum adiutorium iterantibus praestatur, ut non exignatur; similiter etiam nec de his qui sine negotiandi causa substantiam suam de una domo sua ad aliam ducunt aut ad palatium aut in exercitum. Si quid vero fuerit unde dubitetur, ad proximum placitum nostrum quod cum ipsis missis habituri sumus interrogetur." On coming and going: *Capit.* I, no. 67, c. 4, p. 157: "De adventiciis ut, cum missi nostri ad placitum nostrum venerint, habeant descriptum quanti adventicii sunt in eorum missatico et de quo pago sunt et

king's attempts to profit from his landholding, the ambitious goals he set for even low level royal servants like estate managers, the challenges inherent in recreating such financial management structures after centuries of neglect, and the scope of vision.⁷⁰ The king was interested in everything from fruit trees to craftsmen on estates to holders of benefice.⁷¹ We must recognize not just that such ambitious plans were hard to carry through, but the extent to which requests for information were designed to increase royal profit and control. Moreover, what seem to be fairly basic and simple economic records reveal the king and his advisers using such records to far more complex ends, admittedly not always successfully.⁷²

Royal interest in more and more information was not confined solely to Francia itself. Another area of attention was the movement of people

nomina eorum, et qui sunt eorum seniores"; and focus on conquered regions: *Capit.* I, no. 67, c. 5, p. 157: "Similiter direximus missos in Aequitania et Langobardia, ut omnes fugitivos et adventicios ad nostrum placitum adducant." On old markets: *Capit.* I, no. 61, c. 8, p. 149 (cited in Note 46); on toll stations: *Capit.* I, no. 57, c. 7, p. 144, and the first example cited in this Note.

⁷⁰ For example, on profiting from landholding: *Capit.* I, no. 33, c. 39, p. 98; ambitious goals: *Capit.* I, no. 32, c. 8, p. 83: "Ut iudices nostri vineas recipiant nostras, quae de eorum sunt ministerio, et bene eas faciant et ipsum vinum in bona mittant vascula et diligenter praevidere faciant, quod nullo modo naufragatum sit; aliud vero vinum peculiare comparando emere faciant, unde villas dominicas condirigere possint. Et quandoquidem plus de ipso vino comparatum fuerit quod ad villas nostras condirigendum mittendi opus sit, nobis innotescat, ut nos commendemus qualiter nostra fuerit exinde voluntas. Cippaticos enim de vineis nostris ad opus nostrum mittere faciant. Censa de villis nostris qui vinum debent, in cellaria nostra mittat." Also ed. *CdV*, p. 56, with no substantive differences. On recreating structures: *Capit.* I, no. 49, c. 4, p. 136. For the scope of vision: The *Capiulare de villis*, *Capit.* I, no. 32, pp. 83–91 (also ed. *CdV*, pp. 56–63), in particular may not be noted for its logical arrangement of chapters, but it certainly offers a broad view of the scope of economic management and production expected on royal estates.

⁷¹ Fruit trees: *Capit.* I, no. 32, c. 70, pp. 90–1 (also ed. *CdV*, p. 64); craftsmen on estates: *Capit.* I, no. 32, c. 45, p. 87 (also ed. *CdV*, p. 60); holders of benefice: *Capit.* I, no. 46, c. 6, p. 131.

⁷² For example, *Capit.* I, no. 77, c. 19, p. 172: "Ut vilicus bonus, sapiens et prudens in opus nostrum eligatur, qui sciat rationem misso nostro reddere et servitium perficere, prout loca locata sunt, aedificia emendent, nutrant porcos, iumenta, animalia, ortos, apes, aucas, pullos, vivaria cum pisces, vennis, molina, stirpes, terram aratoriam studeant femare; in forestis mansum regale, et ibi vivaria cum pisces, et homines ibi maneant. Et plantent vineas, faciant pomaria, et ubicumque inveniunt utiles homines, detur illis silva ad stirpandum, ut nostrum servitium in melioretur. Et ut feminae nostrae, quae ad opus nostrum sunt servientes, habeant ex partibus nostris lanam et linum, et faciant sarciles et camisiles, et perveniant ad cameram nostram per rationem per vilicis nostris aut a missis eius a se transmissis." There is, however, evidence of this royal interest in written documentation being absorbed by lower levels of society; for one example, see Hammer, "County Churches." And for a generally positive assessment of the intellectual capacity needed to use records and the hints of significant economic growth they provide, see Devroey, "Ordering, Measuring, and Counting."

between the conquered realms and Francia, evident in efforts to keep track of fugitive clerics and runaway *servi*.⁷³ Similarly, writing was a key tool for the mustering of the army, with its attendant movement of people all over the empire and beyond its borders.⁷⁴ The king also took his role as guardian of Christendom seriously, perhaps unsurprisingly given the papal encouragement of such an understanding of rulership.⁷⁵ To that end, the king's interest in information extended to Christendom more broadly.⁷⁶ One fascinating manifestation of this interest is the *breve commemoratorium*, which records religious institutions and personnel in the Holy Land, and seemingly is evidence of the king's desire to try to exert some form of protection and charity over such Christians.⁷⁷ The text is important not just for its evidence of the breadth of the king's interest, and the outward looking perspective of the Carolingians, but for its survival as a *rotulus*.⁷⁸ We have a few such *rotuli*, but this was probably the main format used to gather many kinds of data before it was compiled into a more formal codex.⁷⁹ Just because we know most of our sources from codices does not mean that was how such information was originally compiled.⁸⁰ The *breve* raises another important aspect of royal

⁷³ For example, movement between conquered realms and Francia: *Capit.* I, no. 67, c. 5, p. 157; fugitive clerics: *Capit.* I, no. 94, c. 2, p. 198; runaway *servi*: *Capit.* I, no. 91, c. 9, p. 193. See also Note 69.

⁷⁴ Ganshof, "The Use of the Written Word," p. 128; Nelson, "Literacy in Carolingian Government," pp. 278–9 (pp. 19–20 in the reprint).

⁷⁵ For example, *Codex Carolinus*, letter 72, pp. 602–3: "Divinitus preordinata vestra a Deo protecta summa regalis potentia procul dubio credimus, quia, super pristinos omnes ac fidelissimos orthodoxosque reges atque imperatores erga sanctam catholicam et apostolicam spiritalem matrem vestram Romanam ecclesiam veram dilectionem habentes, innumerabilia bona per vestra laboriosa certamina cotidie offertis. Et pro hoc nempe certi facti estote: quia, quantum caput totius mundi, eandem sanctam Romanam ecclesiam, eiusque rectorem simulque pontificem amplectendo seu fovendo honorabiliterque glorificando diligitis, tantum vos beatus Petrus apostolorum princeps inconcussos facit triumphos hic et in futuro victores super omnes regnare reges." See also G. Brown, "Introduction: The Carolingian Renaissance," p. 23.

⁷⁶ As well as to the nature of Christian belief, as in *Capit.* I, no. 71, c. 9, p. 161 and comments of Nelson, "The Voice of Charlemagne," pp. 80–4. The interest in information is not just a matter of recording quantifiable details.

⁷⁷ McCormick, *Charlemagne's Survey of the Holy Land*. See also: Einhard, *Vita Karoli*, c. 27, pp. 31–2; *Capit.* I, no. 64, c. 18, p. 154.

⁷⁸ On the outward looking perspective of the Carolingian era, see J.R. Davis and McCormick, "The Early Middle Ages."

⁷⁹ Mordek, "Karolingische Kapitularien," pp. 32–5 (pp. 62–5 in the reprint). Examples include: Colmar, Archives du Haut-Rhin, Grand Document N° 139 (on which see Mordek, *Bibliotheca*, pp. 112–13); Munich, Bayerische Staatsbibliothek, Clm 29555/2 (Mordek, *Bibliotheca*, pp. 376–7).

⁸⁰ Mordek, "Karolingische Kapitularien," pp. 32–5 (pp. 62–5 in the reprint); McKitterick, "Zur Herstellung von Kapitularien," pp. 7–8, 14–16. I will return to the problem of missing capitulary originals in my book on the capitularies.

approach to literate administration in its listing of places, and this is that the Carolingians loved lists, whether of swearers of the oath or fruit trees or previous kings.⁸¹ Such information must of course be used after it was noted down,⁸² but the variety of areas in which the king and his advisers were searching for information is compelling. Trying to keep track of royal landholding is one thing, trying to name monks in Jerusalem and to trace movement across the empire is another.⁸³ Even if only a small fraction of the requests for information made by the king and his court were fulfilled, this was still literate administration in a wide variety of contexts.⁸⁴

Another realm in which we see traces of the king's thirst for information is in the gathering of old books.⁸⁵ This quest served several purposes for the Carolingian court.⁸⁶ First of all, the search for old books encompassed many kinds of writing, but began with a search for religious books.⁸⁷ The king was worried about authenticity: Of books, of saints, of belief.⁸⁸ As we saw at the start of this chapter, poor copies of

⁸¹ On listing places, for example, the listing of *missi* responsible for Saxon and Avar border lands: *Capit.* I, no. 44, c.7, p. 123; on the Carolingian fondness for lists: Nelson, "Literacy in Carolingian Government," p. 296 (p. 36 in the reprint); swearers' of the oath: *Capit.* I, no. 181, pp. 377–8; this document comes from the reign of Louis the Pious, but we know similar lists were supposed to be compiled under Charlemagne (for example, *Capit.* I, no. 25, c. 4, p. 67) and see also Nelson, "Charlemagne and Empire"; for lists of fruit trees: *Capit.* I, no. 128, c. 29, p. 256 from the Annapes survey (also ed. *CdV*, p. 55); for lists of kings: See, for instance, the list of kings in Paris, Bibliothèque Nationale, lat. 4628A, f. 5ra–6va (description in Mordek, *Bibliotheca*, pp. 488–501). And on the Carolingian interest in such genealogies: Reimitz, "Anleitung zur Interpretation," especially pp. 178–9 on use of Merovingian king lists.

⁸² Nelson, "Literacy in Carolingian Government," 281–2 (p. 22 in the reprint).

⁸³ And even this level of written administration (keeping track of land) could be problematic; see Verhulst, *The Carolingian Economy*, pp. 126–8; trying to name monks in Jerusalem: McCormick, *Charlemagne's Survey of the Holy Land*. For one indication of difficulties in keeping track of fugitives, see *Capit.* I, no. 64, c. 9, p. 153.

⁸⁴ On the range of contexts for literate administration, see also McKitterick, *The Carolingians and the Written Word*, pp. 29–32.

⁸⁵ G. Brown, "Introduction: The Carolingian Renaissance," p. 33.

⁸⁶ McKitterick observes that the king benefitted directly from patronage; it was not just a question of expectations of royal behavior: McKitterick, "Royal Patronage of Culture."

⁸⁷ G. Brown, "Introduction: The Carolingian Renaissance," pp. 34–7. See also Angenendt, "Libelli bene correcti," pp. 129–34 (pp. 237–42 in the reprint). For Rome as the source of many such books, see Schieffer, "'Redeamus ad fontem'."

⁸⁸ And ultimately made his own court the source of it: de Jong, "Charlemagne's Church," p. 119; see also her "Sacrum palatium et ecclesia," on the palace as the locus of orthodoxy; authentic books: *Capit.* I, no. 60, c. 1, p. 147; authentic saints: *Capit.* I, no. 22, c. 42, p. 56 (also ed. *AG*, c. 42, p. 202); *Capit.* I, no. 28, c. 42, p. 77, and comments of Fouracre, "The Origins of the Carolingian Attempt," pp. 162–4; authenticity of belief: *Capit.* I, no. 71, c. 9, p. 161. These concerns about authenticity and orthodoxy did not mean that there was inevitable uniformity in religious texts; see discussion of the liturgy, pp. 175, 293, for instance.

religious texts could lead to people praying incorrectly, to people using the wrong texts, and thereby to a weakening of the collective religious might of the empire.⁸⁹ The provision of good texts was thus a primary task for a king worried about salvation, of himself and of his people.⁹⁰ The king wanted to revise the Bible, and to get an authentic copy of the Rule of St. Benedict from Montecassino and a new canon collection from the pope.⁹¹ The king's interest in old books, in correct copies, extended out to other works as well, and efforts to recreate the palace library note the presence there of many works of classical antiquity among the religious texts and commentaries of the church fathers.⁹² Much of what we now know of Latin antiquity was preserved by Carolingian scholars, although of course most of this work survives

⁸⁹ On praying incorrectly: *Capit.* I, no. 29, p. 79, especially lines 21–6 (also ed. T. Martin, “Bemerkungen zur ‘Epistola de litteris colendis,’” pp. 232–3); and analysis in: Buck, *Admonitio und Praedicatio*, pp. 148–50, and discussion above; using the wrong texts: *Capit.* I, no. 22, c. 78, p. 60 (also ed. AG, c. 76, pp. 228–30). For the global consequences of improper religious practice, see *Capit.* I, no. 33, c. 17, pp. 94–5.

⁹⁰ For example, *Capit.* I, no. 22, introduction, pp. 53–54, c. 60, p. 57, c. 82, pp. 61–2 (also ed. AG, introduction, pp. 180–4, introduction to part two of the capitulary, pp. 208–10, c. 80, pp. 234–8); *Capit.* I, no. 29, p. 79, lines 38–44 (also ed. T. Martin, “Bemerkungen zur ‘Epistola de litteris colendis,’” p. 234); *Capit.* I, no. 33, c. 14, p. 94, c. 17, pp. 94–5, c. 27, p. 96, c. 40, pp. 98–9 (c. 14 is re-edited in Mordek, “Quod si se non emendat, excommunicatur,” p. 180); *Capit.* I, no. 60, c. 4, p. 147; *Capit.* I, no. 85, introduction, c. 2, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–101); *Capit.* I, no. 103, p. 212, lines 8–9; *Capit.* I, no. 121, pp. 239–40; *Caroli Magni capitulare ecclesiasticum*, c. 43 (ed. Mordek, *Bibliotheca*, p. 989); Wallace-Hadrill, *The Frankish Church*, p. 190. See also the discussion of the persistent interest in salvation in Chapter 8, pp. 397–9.

⁹¹ For example, on revising the Bible, Kaczynski, “Edition, Translation and Exegesis,” pp. 171–2; McKitterick, “Carolingian Bible Production”; B. Fischer, “Bibeltext und Bibelreform.” On the Rule of St. Benedict: Letter of Theodemar, abbot of Montecassino, to Charlemagne: “Auxit etiam nostrum illa res gaudium, quia uestram excellentiam de uirtute in uirtutem succrescentem dei agrum studioso excolere addicimus ac monachorum religionem ad meliorem perducere statum. Certum est, quia uos hoc factum beatores efficiet, dum tale deo nostro tamque beneplacitum munus offertis. Quia de re, quia ad beati patris nostri Benedicti doctrinam et luculenta exempla aliquos monachorum regionis illius uestrae clementiae informari placuit, iuxta praeceptionem uestram in uobis regulam eiusdem beati patris de ipso codice, quem ille suis sanctis manibus exarauit, transscriptam direximus.” Edited in *Corpus consuetudinum monasticarum*, ed. Hallinger, vol. 1, pp. 159–60. The text is also available in *Epistolae variorum*, no. 13, p. 510, lines 15–22. On the court’s use of Roman canonical material, see Mordek, *Kirchenrecht und Reform*, pp. 151–62.

⁹² On old books: McKitterick, “The Carolingian Renaissance of Education and Learning,” pp. 160–1; on correct books: *Caroli Magni capitulare ecclesiasticum*, c. 10 (ed. Mordek, *Bibliotheca*, p. 985): “Ut libros suos episcopi atque abbates per singula loca emendent, similiterque vitiosos scriptores; quia dum bene rogare cupiunt deum, ut in capitulariis dominicis scriptum est, per inemendatos libros male rogant”; on other books: Epperlein, *Leben am Hofe*, pp. 122–4; on the palace library: Bischoff, “The Court Library of Charlemagne,” although see now Villa, “Die Horazüberlieferung”; and McKitterick, “The Carolingian Renaissance of Education and Learning,” p. 161.

from after Charlemagne's death.⁹³ The king was not single-handedly responsible for the gathering of old books, but he was the first impetus to such collecting and provided a context and some of the financial wherewithal to make it possible.⁹⁴

Literacy and governance

We have seen now several realms in which the king wanted information: Land holding and the economy, movement of people, mustering of the host, old books, Christian sites, and holy places.⁹⁵ The king also wanted a lot of information relating to governance and administration, including a list of local office holders, and a record of any administrative problems that the *missi* should bring with them when they come to Aachen to report to the king.⁹⁶ This governmental context of the king's thirst for information has attracted much attention from scholars.⁹⁷ Ganshof's work is fundamental, but he saw such efforts as too little to stem a tide of incompetence and incomplete records, and thus considered most efforts at literate administration ultimately hopeless.⁹⁸ Jinty Nelson's recent reconsideration of the topic stresses the many contexts for the use of writing, the mutual benefits for king and aristocracy, and the numerous records that do survive, suggesting that much of what the kings were asking for was getting done.⁹⁹

⁹³ For example, L.D. Reynolds and Wilson, *Scribes and Scholars*, pp. 92–106.

⁹⁴ On the particular value of old books, see McKitterick, *The Carolingians and the Written Word*, p. 151; on impetus for collecting: G. Brown, "Introduction: The Carolingian Renaissance," p. 33. And the court made further collecting possible by distribution and example, and provision of works to be copied: McKitterick, "Royal Patronage of Culture," pp. 110–17. See also the recent reconsideration of Charlemagne and his books in McKitterick, *Charlemagne*, pp. 345–72.

⁹⁵ For example, on land holding and economy: *Capit.* I, no. 46, c. 7, p. 131; on movement of people: *Capit.* I, no. 99, c. 5, p. 206; on mustering the host: *Capit.* I, no. 48, pp. 134–5; on old books: See the range of works surveyed in *Codex Carolinus*, letter 24, p. 529, as cited in Note 58; on Christian sites: *Capit.* I, no. 28, c. 42, p. 77; on holy places: *Capit.* I, no. 35, c. 36, p. 103.

⁹⁶ Information relating to governance: Ganshof, "The Use of the Written Word," pp. 126–32; list of office holders, for example: *Capit.* I, no. 40, c. 3, p. 115: "Ut missi nostri scabinos, advocatos, notarios per singula loca elegant et eorum nomina, quando reversi fuerint, secum scripta deferant"; on administrative problems: *Capit.* I, no. 40, c. 25, p. 116. The written nature of Carolingian law is also highlighted by comparison with the Anglo-Saxon situation, see Vollrath, "Gesetzgebung und Schriftlichkeit."

⁹⁷ For instance, McKitterick, *The Carolingians and the Written Word*, pp. 25–37.

⁹⁸ Ganshof, "The Use of the Written Word," pp. 133–5; on the evaluation of Ganshof's work: McKitterick, *The Carolingians and the Written Word*, pp. 25–6.

⁹⁹ Nelson, "Literacy in Carolingian Government," especially pp. 272–96 (pp. 14–36 in the reprint).

There is no need to rehearse here all of Nelson's examples, which take account of the Carolingians generally and not just Charlemagne,¹⁰⁰ but there are a few features of written administration under Charlemagne in particular which we must emphasize. The first is that Charlemagne started this.¹⁰¹ Louis and Charles the Bald in particular may also have been interested in literate administration and were in some ways even more successful with it than Charlemagne, but it was still first during Charlemagne's reign that we have any detailed information on written administration.¹⁰² Second, we must note the context for many of the royal requests for information.¹⁰³ Most, though not all, of the administrative requests for written documentation made by the king depended on the *missi*.¹⁰⁴ This is important, and has perhaps not been sufficiently stressed in previous discussions of this issue.¹⁰⁵ Historians will no doubt go on debating whether the average count was capable of literate administration, although the evidence for this in at least some cases seems to me quite strong.¹⁰⁶ But we can make a much better argument for administrative ability on the part of the *missi*.¹⁰⁷ The *missi* were often the elite of the empire, and thus the people most likely to have had access to literacy and to literate staffs.¹⁰⁸ Furthermore, the usual practice of at least one of these high level *missi* in each *missaticum* being a cleric only strengthens the presumption that such people were indeed fully competent to engage in literate administration.¹⁰⁹ Moreover, the *missi* served as the king's personal agents, linked to him most directly and specifically.¹¹⁰ The *missi* we can identify are often those we know had numerous, deep, and abiding links to the king.¹¹¹ The people

¹⁰⁰ Nelson, "Literacy in Carolingian Government," p. 263 (pp. 5–6 in the reprint).

¹⁰¹ Ganshof, "The Use of the Written Word," p. 126.

¹⁰² Others doing more with literacy: Nelson, "Literacy in Carolingian Government," p. 263 (p. 6 in the reprint); on impetus of Charlemagne and his court: Ganshof, "The Use of the Written Word," pp. 133–4.

¹⁰³ For example, *Capit.* I, no. 40, c. 3, p. 115 (cited in [Note 96](#))

¹⁰⁴ Ganshof, "The Use of the Written Word," p. 127.

¹⁰⁵ Although see Nelson, "Literacy in Carolingian Government," p. 280 (p. 21 in the reprint).

¹⁰⁶ On counts and literacy: Nelson, "Literacy in Carolingian Government," pp. 282–3 (pp. 23–4 in the reprint); on the strength of the evidence: McKitterick, *The Carolingians and the Written Word*, pp. 26–33.

¹⁰⁷ Nelson, "Literacy in Carolingian Government," pp. 281–2 (pp. 21–2 in the reprint), and see also McKitterick, *Charlemagne*, pp. 263–6 on the effectiveness of the *missi*.

¹⁰⁸ Nelson, "Literacy in Carolingian Government," p. 282 (p. 23 in the reprint).

¹⁰⁹ On example is Theodulf of Orléans, on whom see the overview in Depreux, *Prosopographie*, pp. 383–5. On the composition of teams of *missi*: K.F. Werner, "Missus-marchio-comes," pp. 195–7 (pp. 112–14 in the reprint).

¹¹⁰ Ganshof, *Frankish Institutions*, pp. 23–6.

¹¹¹ For several examples see Eckhardt, "Die Capitularia missorum specialia," especially pp. 505–7. For *missi* under Charlemagne, see Krause, "Geschichte des Institutes der missi dominici," pp. 258–64, 282–6, and [Introduction](#), [Note 165](#).

the king was expecting to fulfill his admittedly ambitious and onerous demands for information were thus educated, often talented, and personally close to him.¹¹² Whether or not counts could fulfill such commands, or had any interest in such commands, may be debatable, but the *missi* who were responsible for the enforcement of most of these requests for information were much more likely to be willing and able to carry them out.¹¹³

We must also place the thirst for knowledge and efforts at written administration in the context of information coming to and from the court.¹¹⁴ The king did not announce that he wanted so many different kinds of information in writing solely for appearance's sake.¹¹⁵ Charlemagne did want lots of things written down, but we must understand the interest in writing broadly.¹¹⁶ That is, the king wanted administrative information in many ways.¹¹⁷ The writing was just one part of it.¹¹⁸ In evaluating the success of the king's governance, we cannot just draw up a list of what got written.¹¹⁹ Not only do we lack the information to do this fully, but more importantly it blinds us to the assumption in royal sources

¹¹² See, for example, the analysis of the royal service of Arn of Salzburg in [Chapter 1](#), pp. 69–77.

¹¹³ Of course, good will and ability do not always coincide perfectly, as we see in the questions posed by the overwhelmed *missus* behind the *Responsa misso cuidam data*, *Capit.* I, no. 58, pp. 145–6, but even here, the agent does appear on the whole effective and certainly dedicated, as we saw in our discussion in this Chapter. Another example of a dedicated *missus* is the cleric who asked questions addressed by a court author in the letter edited by Rudolf Pokorný, “Eine Brief-Instruktion.” On the commands given to counts, see, for example, *Capit.* I, no. 85, c. 4, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, p. 101), and comments of Nelson, “Literacy in Carolingian Government,” p. 282 (p. 23 in the reprint). On comital interest in royal commands: A count who must be told not to go hunting rather than holding court (as in *Capit.* I, no. 49, c. 1, p. 135, for example) was seemingly not especially focused on his responsibilities to his people. And for the debate over counts: See Nelson, “Literacy in Carolingian Government,” pp. 282–3 (pp. 23–4 in the reprint).

¹¹⁴ I have learned a great deal from Nelson's insistence that we see literacy as “collaborative,” not just as something imposed by the court: Nelson, “Literacy in Carolingian Government,” p. 262 (p. 5 in the reprint). Two-way communication is also emphasized by Gravel, *Distances, rencontres*, chapter 3.

¹¹⁵ Texts, in particular legal texts, may well have an ideological purpose, as argued by Wormald, “*Lex scripta*,” but we have so much legal material, some of which was used, and some of which is so obviously administrative and thus hard to comprehend in an ideological context, to make this explanation, at a minimum, insufficient. See also McKitterick, *The Carolingians and the Written Word*, p. 33.

¹¹⁶ On many things written down: Ganshof, “The Use of the Written Word,” p. 126; on a broad understanding of writing: Nelson, “Literacy in Carolingian Government,” pp. 262–3 (pp. 5–6 in the reprint). See further pp. 317–19 on effectiveness.

¹¹⁷ See also Nelson, “Literacy in Carolingian Government,” p. 282 (p. 22 in the reprint).

¹¹⁸ Nelson, “Literacy in Carolingian Government,” p. 281 (p. 21 in the reprint).

¹¹⁹ See also McKitterick, *The Carolingians and the Written Word*, pp. 33–7 on approaches to the evidence.

that administration should happen in many ways at the same time.¹²⁰ Because writing was not the only kind of information the king wanted.¹²¹ *Missi* were expected to bring reports of their circuits, but they were also supposed to come and meet with the king and explain their successes and problems, and the issues that remained.¹²² Ambassadors sent to external powers similarly traveled with instructions that were both oral and written.¹²³ Letters generally, not just from the king, were often carried by messengers who had been entrusted with further information to recount orally.¹²⁴ The king assumed that agents should share information, but that information could be shared orally or in writing.¹²⁵ His agents were also expected to fulfill the commands they were given both in writing and orally.¹²⁶ The *missi* supervised other royal servants both via letter of instruction and personal visits.¹²⁷ Agents of various kinds were expected to help transmit the information they had received, again in multiple

¹²⁰ See the reasoned assessment of the information we do have in McKitterick, *The Carolingians and the Written Word*, p. 33, and also Innes, "Charlemagne's Government," pp. 78–80 emphasizing communication between court and regions rather than simple local citation of royal orders, and Gravel, *Distances, rencontres*, p. 154 for kinds of information that complement each other.

¹²¹ For example, *Capit.* I, no. 66, c. 5, p. 155.

¹²² Reports on circuits: Ganshof, "The Use of the Written Word," p. 130; explain successes and problems: *Capit.* I, no. 58, pp. 145–6, and explain remaining issues: *Capit.* I, no. 35, c. 59, p. 104.

¹²³ Nelson, "The Settings of the Gift," pp. 129–32, on a famous case, namely, *Capit.* I, no. 111, p. 225 (ChLA 17, no. 655). On the evidence of this text and similar examples for both oral and written instruction, see Hack, *Codex Carolinus*, pp. 624–5. This is of course hardly a Carolingian invention; see, for example, on an earlier period: Gillett, *Envoys and Political Communication*.

¹²⁴ To give just one example, *Codex Carolinus*, letter 11, pp. 504–7, here p. 507: "Praesentes vero fidelissimos nostros, id est Georgium reverentissimum ac sanctissimum fratrem et coepiscopum nostrum atque Iohannem regionarium nostrumque sacellarium, petimus ut hilariori suscipiens vultu in omnibus acceptare iubeas. Et quicquid nostra vice bonitati tue locuti fuerint, eis in omnibus credere digneris atque cum effectum causae et laetabundis nuntiis ad nos remeandos absolvere iubeas."

¹²⁵ For instance, on sharing information: *Capit.* I, no. 67, c. 6, p. 157: "Quicumque ista capitula habet, ad alios missos ea transmittat qui non habent, ut nulla excusatio de ignorantia fiat"; oral or written transmission of information: *Capit.* I, no. 85, introduction, p. 184, lines 11–14 (also ed. Eckhardt, *Die Kapitulariensammlung*, p. 100; citation is from the MGH edition): "Nunc autem admonemus vos, ut capitularia vestra relegatis et quaeque vobis per verba commendata sunt recolatis et tale exinde certamen habere studeatis, pro quo et apud Deum mercedem et apud ipsum magnum dominum nostrum condignam retributionem suscipiatis."

¹²⁶ Written commands: Ganshof, "The Use of the Written Word"; oral commands: *Capit.* I, no. 62, c. 25, p. 151.

¹²⁷ For example, letter of instruction: *Capit.* I, no. 85, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–102); personal visits: *Caroli Magni capitulare ecclesiasticum*, c. 43 (ed. Mordek, *Bibliotheca*, p. 989).

forms.¹²⁸ One could go on in this vein, but the point should be evident. Written administration was one slice of a much broader process of gathering information from royal agents, from ambassadors, from those who came to assemblies, indeed from anyone who had something to tell the king and could get access to him.¹²⁹ Or put in more general terms, orality and literacy worked together.¹³⁰

Furthermore, this was not simply a one-sided process. Historians are so worried, and rightly so, about what the king did with this information that we tend to focus on information getting written down, getting sent to Aachen, and the ability of agents to participate in the king's envisioned world of written administration. What we must also highlight is that royal documents envision a great deal of information arriving at the palace, yes, but also a significant outflow of information.¹³¹ The king issued capitularies which were meant to be made known, orally and in writing.¹³² He sent letters, he gave charters, he dispatched agents, he "nurtured" sons of aristocrats at the palace, he held assemblies, and so on.¹³³ Aachen became a real capital and thus the administrative center of the Carolingian realm during the last years of Charlemagne's reign, but we cannot discount the amount of information flowing out from

¹²⁸ Gravel, *Distances, rencontres*, pp. 159–70.

¹²⁹ Information from royal agents: *Capit.* I, no. 40, c. 3, p. 115; information from ambassadors: Royal Frankish Annals s.a. 801, pp. 114–16; from those who came to assemblies: Hincmar of Reims (and possibly Adalhard), *De ordine palatii*, chapters 33–5, pp. 90–4 and Hincmar, *De ordine palatii*, c. 36, pp. 94–6 on the king gleaning information from lesser status people at assemblies.

¹³⁰ On the balance between orality and literacy in the early Middle Ages, see, for example: Mostert, "New Approaches," pp. 22–8; Chinca and Young, "Orality and Literacy"; Innes, "Memory, Orality and Literacy"; Banniard, "Language and Communication," pp. 703–6; Green, "Orality and Reading"; Geary, "Land, Language and Memory"; and extensive further bibliography in Mostert (ed.), *New Approaches to Medieval Communication*. For the vitality of the field of medieval communication generally, see Mostert, *A Bibliography of Works on Medieval Communication*.

¹³¹ For example, information arriving at the palace: *Capit.* I, no. 44, c. 12, p. 124; outflow of information: *Capit.* I, no. 80, c. 13, p. 177.

¹³² Capitularies made known: *Capit.* I, no. 60, c. 4, p. 147; orally: *Capit.* I, no. 40, c. 19, p. 116; in writing: *Capit.* I, no. 22, introduction, pp. 53–4 (also ed. *AG*, introduction, pp. 180–4).

¹³³ On the role of letters in Carolingian governance under Charlemagne and Louis the Pious, see Mersiowsky, "Regierungspraxis und Schriftlichkeit." For some useful observations on royal charters as a source, see Mersiowsky, "Towards a Reappraisal." However, Koziol has recently made an argument downplaying charters as evidence for literate rulership: Koziol, *The Politics of Memory and Identity*. Send out agents, for example: *Capit.* I, no. 33, c. 40, pp. 98–9. The idea of "nurturing" comes from Einhard, *Vita Karoli*, introduction, pp. 1–2; and on the limited amount we know about Einhard's court education see Schefers, "Einhard und die Hofschule"; and on education at the palace see, for example, Innes, "'A Place of Discipline'." On assemblies: Hincmar, *De ordine palatii*, chapters 34–6, pp. 90–6.

the palace.¹³⁴ The king wanted to know a lot about his realm, but he also wanted his agents to know many things, and the amount of people and information and texts that went back and forth all contributed to this.¹³⁵ Thus, in considering written administration we need to take account of the constant exchange: Not just the diffusion of texts, people, and ideas from the palace, but the infusion of texts, people, and ideas back in and then out again.¹³⁶

One problem with this vision of information flow, both documentary and otherwise, which we have sketched here is logistical. Such a vision of governance required regular preparation of parchment, educated officials, and the means to move people, texts, and ideas quickly.¹³⁷ This vision of governance depends on royal resources, and all the evidence to date suggests Charlemagne had more resources to dispose of than earlier kings and that he was willing to spend some of them on administration.¹³⁸ This does not mean the king paid for every document that circulated in the empire, but that he served as a model, stimulus, and prime source of funding for such documents.¹³⁹ Similarly, the king's interest in and support of education was a necessary precondition for providing people able to carry out such tasks of administration.¹⁴⁰ Reliance on high status people as *missi* may have been a help in supplying the king with competent servants, but the overall interest in education, even if was prompted originally by religious concerns, also made this possible.¹⁴¹ Finally, the movement of both texts and people as envisioned

¹³⁴ See Nelson, "Literacy in Carolingian Government," p. 281 (p. 22 in the reprint) on the back-and-forth nature of the flow of information. For Aachen as a capital, see pp. 322–5, 333–4.

¹³⁵ On royal desire for information, for example, *Capit.* I, no. 34, c. 18a, p. 101 (also ed. Eckhardt, "Die Capitularia missorum specialia," p. 503); on agents' knowledge: *Capit.* I, no. 80, c. 5, p. 177; and generally: Contreni, "The Carolingian Renaissance: Education and Literary Culture," pp. 710–11.

¹³⁶ The "revolving door" of the Aachen palace is also emphasized by Innes, in the context of discussing education of aristocratic youth at the palace in his "A Place of Discipline'."

¹³⁷ On parchment: McKitterick, *The Carolingians and the Written Word*, pp. 138–41; on educated officials: Nelson, "Literacy in Carolingian Government," pp. 269–72 (pp. 10–14 in the reprint). While it focuses on a broader scale, McCormick's analysis of the nature of travel is evocative here, even in the context of movement within the Carolingian empire, *Origins*, especially chapter 13.

¹³⁸ See also G. Brown, "Introduction: The Carolingian Renaissance," pp. 45–6; and on Charlemagne's wealth, see Ganshof, *Frankish Institutions*, pp. 34–45.

¹³⁹ And the king possibly provided a model as well for artistic works; see Mayr-Harting's interesting argument about how artistic production reflected royal ideas: Mayr-Harting, "Charlemagne as a Patron of Art."

¹⁴⁰ On education, see Riché, *Les écoles et l'enseignement*, pp. 69–75.

¹⁴¹ It has also been suggested that the real Carolingian achievement entailed more the funding of cultural activity than the legislation on reform: G. Brown, "Introduction: The Carolingian Renaissance," p. 34.

in Carolingian legislation required the infrastructure to get and keep them moving.¹⁴² High status *missi* would have been able to support themselves while on royal missions, but the king also aided his servants by mandating a certain level of support and hospitality for royal agents on the road.¹⁴³ Another point we should highlight, however, are the indications of the speed of information flow.¹⁴⁴ This is often hard to measure but we do have hints here and there, such as the king hearing of the revolt of Hrodgaud and crossing the Alps during the winter to put it down, or the oath used as a hedge against perjury in the same year that it was resworn.¹⁴⁵ Even if the latter case was mediated by the role of Arn doing the traveling, it is a sign of the speed with which ideas and people could move.¹⁴⁶ Such speed was not inevitable, nor could it alone ensure the success of the regime of literate administration royal sources envision, but it did help make it possible.¹⁴⁷

Networks of communication

We have thus seen a thirst for information, linked to a desire to control and profit from the king's empire; an expectation of literate administration focused on the *missi* and part of a broader complex of written and oral communications; and indications of the speed with which at least some information and people could travel, which would help make such a literate system possible. We must now broach the question of effectiveness. This is what the king wanted; did it happen? We can offer a few answers. The first is that Charlemagne's reign was the early days in any such effort at literate administration and given that this was a new and ambitious plan for its time, we should be impressed at what has survived

¹⁴² McCormick's work on merchants moving across the Carolingian world also tells us something about the challenges inherent in moving anyone across the Carolingian world; *Origins*, especially chapter 23.

¹⁴³ For example, *Capit.* I, no. 40, c. 17, p. 116. See also discussion in: Gravel, *Distances, rencontres*, pp. 72–83.

¹⁴⁴ See overview of the speed of travel in McCormick, *Origins*, chapter 16; Gravel, *Distances, rencontres*, pp. 83–92.

¹⁴⁵ Hrodgaud: Royal Frankish Annals s.a. 775–6, pp. 42–4, and on travel to Italy generally, McCormick, *Origins*, pp. 476–81; on the oath: *Capit.* I, no. 33, chapters 2, 3, and 4, p. 92, c. 9, p. 93, and c. 36, p. 98; with the Bavarian dispute settlement record: TF no. 186, pp. 178–9, discussed and cited on pp. 5, 70.

¹⁴⁶ Another clue is the speed with which local charters reflected a change in ruler: Bullough, “*Aula Renovata*,” pp. 272–3 (pp. 126–7 in the reprint). See further discussion of Arn in [Chapter 1](#), pp. 69–77.

¹⁴⁷ Although the sources themselves admit that information cannot always travel fast enough to meet all circumstances, thus in the case of a famine, local authorities should begin litanies without waiting for the royal order to arrive: *Capit.* I, no. 44, c. 4, pp. 122–3.

indicating implementation, especially as so much of this kind of information was by nature transitory and of only temporary utility.¹⁴⁸ Second, the conjunction between literate administration and the *missi* is one way in which the ambitious goals become somewhat more reasonable, as the king asked a lot of the *missi*, but that meant he asked the most of the best educated servants and thus those most tightly linked to him.¹⁴⁹ The fact that the interest in writing and literacy is evident in such a range of areas is another argument in favor of effectiveness.¹⁵⁰ Giving the king's agents so many areas in which to fulfill commands offered them many opportunities to live up to royal expectations and made the areas where they failed less egregious. This does not mean that every document Charlemagne asked for got written, that every count was literate, or that every *missus* lived up to royal expectations, nor can we assume that literate equals competent or dedicated. What it does mean is that the overall evidence for implementation of literate administration is good, but uneven.¹⁵¹

And this brings us to what may be the most important thing we can say about the king's efforts to gather information and administer the empire.¹⁵² The desire for written information and written administration is evident and was often fulfilled.¹⁵³ But literate administration constituted only part of a much broader and deeper interest in communication.¹⁵⁴ The king wanted information and administration; the literate method was one approach among many, and, as we have seen, the king preferred to handle problems in multiple ways. The point is not so much whether one particular command was fulfilled everywhere. There are rather two main concerns that are more evident in royal sources, namely, that information got communicated (in a variety of overlapping ways),

¹⁴⁸ The main types of documents surveyed by Ganshof as royal written documents ("The Use of the Written Word," pp. 126–8) often relate to particular situations and are not the kind of information that would necessarily be preserved, as their purpose would soon end or at least change. On ambition: See Ganshof, "The Use of the Written Word," pp. 133–4.

¹⁴⁹ On royal links to the *missi*, see Ganshof, *Frankish Institutions*, pp. 23–6; see also [Part I](#) on expectations placed on royal agents.

¹⁵⁰ McKitterick, *The Carolingians and the Written Word*, p. 33.

¹⁵¹ On uneven evidence for writing in governance, see further Mersiowsky, "Regierungspraxis und Schriftlichkeit," pp. 164–6.

¹⁵² This discussion owes much to the vision of communication, sketched on the basis of charters, in McKitterick, "Court and Communication."

¹⁵³ Nelson, "Literacy in Carolingian Government," pp. 272–96 (pp. 14–36 in the reprint).

¹⁵⁴ See also the emphasis on tying the empire together in Nelson, "Charlemagne and Empire," and the discussion of the vibrancy of communications in Charlemagne's realm in McKitterick, *Charlemagne*, chapter 4.

and that overall royal commands were fulfilled.¹⁵⁵ With this in mind, we can address some important hypotheses about literate governance.

In a recent article on the nature of written law in the Carolingian period, Steffen Patzold has argued that while capitularies and their transmission reflect the social limits of literacy, one goal of the legal reforms of Charlemagne and Louis the Pious was to inculcate further literate practices.¹⁵⁶ This is true, but it is not the only explanation of literacy, and its constraints, in the capitularies. Some deficiencies in literacy and education obviously mark the capitularies, Charlemagne's in particular.¹⁵⁷ The contrast to the capitularies produced by Louis the Pious, for example, is evident. The changes in tense or number, the grammatical errors, the wandering from topic to topic, the variety of text from formal decree to list of items to be discussed: All these characteristic features of Charlemagne's capitularies decline significantly under Louis.¹⁵⁸ Certainly, one factor explaining these shifts is heightened standards of literacy and education. The effort at education and reform commenced under Charlemagne, but bore its full fruit later. However, the limits of literacy, the grammar errors, and the incomplete resort to written administration are also due to what Charlemagne and his men aimed to achieve with the capitularies. That is, the language of the capitularies is not solely a function of the extent of literate abilities among Charlemagne's men, but also reflects the intended uses of these texts.

Much of what Charlemagne wanted done did not in fact need to be written down in order to be understood. For instance, a major preoccupation of the capitularies is, as we have seen, the need for counts to do justice.¹⁵⁹ The capitularies, as a whole, lay out an extensive body of rules the count is meant to follow to enable him to succeed in delivering just judgments. Having a list of all such rulings made by the court at any time would not have been a bad thing, but it was also not necessary for basic comital competence. The key point was justice: A count hardly needed to have that written out in order to remember it. Attendance at assemblies, at court hearings, and so on made the process of receiving and giving justice a lived experience. Moreover, many of the most important regulations in the capitularies are repeated continually, so one could learn

¹⁵⁵ See also Nelson, "Literacy in Carolingian Government," p. 281 (p. 21 in the reprint).

¹⁵⁶ Patzold, "Die Veränderung," especially pp. 94–9. Patzold's arguments are based on a particular class of capitularies, those adding to the national laws, but his ideas have broader relevance.

¹⁵⁷ On limits of reform in general terms, see Depreux, "Ambitions et limites."

¹⁵⁸ Compare *Capit.* I, no. 33, c. 1, pp. 91–2, to essentially anything issued by Louis to reveal the contrast.

¹⁵⁹ See pp. 48–63.

them by hearing them or perhaps by having them read out occasionally. For example, a count with only passing acquaintance with the capitularies and other royal orders would have received ample exposure to the idea that judges should avoid bribery.¹⁶⁰ The message prohibiting bribery in a judicial context was not just made in the capitularies and at royal assemblies: It was reiterated in literature, such as Theodulf's poem on his judicial circuit,¹⁶¹ and in mirrors for laymen, such as Alcuin's treatise for Count Wido.¹⁶² The idea was written down, but it did not need to be preserved in writing to be understood. What Charlemagne expected of his men could be achieved with or without literacy. Literacy might have been better, and offered further potential for successful management of the empire, but it was not assumed in how Charlemagne and his men did things. The reflection of incomplete literacy in the capitularies, therefore, is not simply a sign of lack of ability on the part of the court to use literacy, but is rather an indication of how literacy was a valued, but not exclusive, approach. Literacy is one part of the story of understanding capitularies, but it alone does not explain their nature.

This analysis of the role of literacy in governance is further buttressed when we look at the so-called *Capitulare missorum generale*.¹⁶³ This capitulary includes a famous chapter stating that "judges should judge according to written law."¹⁶⁴ Innes interprets this command as expressing more a concern with judges judging according to correct law, which was written and unwritten, rather than a preoccupation with all judges having access to law books.¹⁶⁵ I would argue that the reference to writing cannot be dismissed so easily. The language does matter, and it was included in this highly significant text because the king and his men did favor the use of written law. It is also notable that the capitulary speaks of *lex scripta*. Many commentators assume this to mean the national laws, the *leges*.¹⁶⁶ But the use of the singular is important: It is all written law that is in question, not just the *leges*. *Lex* can mean many things in the capitularies;¹⁶⁷ the lack of

¹⁶⁰ *Capit.* I, no. 26, c. 28, p. 70; *Capit.* I, no. 33, c. 4, p. 92; *Capit.* I, no. 61, c. 6, p. 148; *Capit.* I, no. 77, c. 13, pp. 171–2; *Capit.* I, no. 80, c. 3, p. 176.

¹⁶¹ Theodulf, *Ad Iudices*, poem no. 28, in *Poetae* I, pp. 493–517, with commentary in Nees, *A Tainted Mantle*, part 2.

¹⁶² Alcuin, *Liber de virtutibus et vitiis*, c. 20, cols. 628–9.

¹⁶³ On the capitulary, see now Innes, "Charlemagne, Justice and Written Law."

¹⁶⁴ *Capit.* I, no. 33, c. 26, p. 96: "Ut iudices secundum scriptam legem iuste iudicent, non secundum arbitrium suum."

¹⁶⁵ Innes, "Charlemagne, Written Law and Justice," particularly pp. 177–9.

¹⁶⁶ On what the term can mean generally, with emphasis on the national laws, see Ganshof, *Recherches sur les capitulaires*, pp. 74–6.

¹⁶⁷ Compare, for example, the reference to the Bible, the *lex dei* (for instance, *Capit.* I, no. 22, c. 65, pp. 58–9; also ed. *AG*, c. 64, p. 216) to the reference to a national law (for instance, *Capit.* I, no. 69, c. 5, p. 159).

specificity here, I think, implies law in its totality, not a particular form of law. While I disagree with his interpretation of what written law indicates in the capitulary, Innes is correct that the regulation is more concerned with ultimate impact rather than particular details. The point of the regulation was to articulate an ideal rather than a necessity. Justice was the necessity. If one could approach it using written texts, so much the better. If not, local agents should attempt to give justice using whatever resources they had to hand.

In sum, the main concern of the king was not so much any one specific request for information, which was in any case most often requested in many ways at once, but for a structure of communication¹⁶⁸ and information gathering geared at fostering links between the king and his empire and at ensuring royal dominance and control.¹⁶⁹ If this meant the court sometimes received information it could not use, so be it.¹⁷⁰ Ganshof notes that many written documents can only be understood with reference to other information, and thus that writing was not effective.¹⁷¹ But he overlooks here the point that the gathering of information was a complex project pursued in multiple ways at once, with any one document simply one piece of the puzzle. We can and should study the individual pieces of information, but we must also appreciate the overall complex of what was attempted.¹⁷² These various efforts at communication together constitute a multi-pronged approach to gathering information and getting it circulating in the empire. It is not just that Charlemagne wanted written administration, but that he wanted communication however he could get it.¹⁷³

¹⁶⁸ There has been increasing historical attention to communication broadly understood rather than just literacy, or other subsections of communication; for example: Althoff (ed.), *Formen und Funktionen*; Gravel, *Distances, rencontres*; but we still need further attention to this issue in an early medieval context. See also Mostert, "New Approaches," pp. 16–17 and Note 130.

¹⁶⁹ For example, *Caroli Magni capitulare ecclesiasticum*, c. 43 (ed. Mordek, *Bibliotheca*, p. 989): "Ut missi nostri unusquisque in sua legatione maximam curam habeat ad pręvidendum atque ordinandum simulque disponendum, admonendum et corrigendum necnon ad emendandum hæc omnia, quę in capitulariis nostris continentur et cetera, que in quibusque locis videntur esse necessaria emendandi atque custodiendi. Et quęcunque emendata sint vel quę emendare nequeunt, nobis omnino notum faciant, ut per misericordiam dei secundum suam voluntatem emendantur, quę emendanda sunt; et quę emendata sunt, in eadem emendatione semper in melius proficiant ad nostram mercedem ęternam coram deo et in nostrum omnium ęternam salutem et gloriam."

¹⁷⁰ On difficulties actually using the information sent to the palace, see Ganshof, "The Use of the Written Word," pp. 134–5.

¹⁷¹ Ganshof, "The Use of the Written Word," pp. 134–5.

¹⁷² Ganshof, "The Use of the Written Word," p. 135.

¹⁷³ Moreover, the capitularies, which have provided much of our evidence for royal expectations of literate administration, themselves can be seen as tools of

Rather than seeing the constant stream of requests for information that emerged from the court of Charlemagne as an ultimately futile effort to create a standardized and centralized literate administration, we can see the royal court fostering a network of communication, centered on itself. The difference in perspective gets at the heart of the problem of standardization and centralization. The example of written administration reveals a conscious persistent effort by the court to centralize, to draw people, documents, and information to Aachen. But such centralization went hand-in-glove with efforts to create webs of communication radiating outward from Aachen as well. Thus, in terms of written administration at least, Charlemagne did intend to centralize, but even more to reshape the channels of communication in the Carolingian world and to draw the far-flung conquered regions into these networks. In terms of standardization, the evidence on written administration is much more mixed, because the court never really asked for information in just one way. Standardization was not the point; information, and ways of moving it, was.

Royal palaces

Literate administration has often been a favored example of scholars arguing on either side of the centralization and standardization debates. The status of Carolingian palaces is another such example. A look at the evidence strictly dating to the reign of Charlemagne suggests once again that the royal court cultivated centralization but not standardization. We must divide this problem into two parts, first the status of Aachen as a real capital, and thus the administrative center of the empire, and second, the extent to which Aachen served as a model for a broader system of palaces spread throughout the realm. We will address each issue in turn.

The status of Aachen as a capital

The extent to which Charlemagne's foundation at Aachen served as a real, functioning capital has been extensively discussed by scholars.¹⁷⁴

communication between king and people; see now the recent investigation of the capitularies along these lines in Pössel, "Authors and Recipients."

¹⁷⁴ Key studies include: Bullough, "*Aula Renovata*," p. 295 (p. 142 in the reprint) and Nelson, "Aachen as a Place of Power," arguing in favor of a real capital and more skeptical discussions in Ewig, "Résidence et capitale," especially pp. 61–2 (pp. 397–9 in the reprint); Brühl, *Fodrum, gistum*, pp. 18–31; Brühl, "Remarques sur les notions de 'capitale'," pp. 208–11 (pp. 130–3 in the reprint); Sot, "Le palais d'Aix." See now McKitterick, *Charlemagne*, pp. 157–78 on Aachen as one of a group of royal centers.

Some historians argue that Charlemagne, like most early medieval rulers, was largely itinerant.¹⁷⁵ By moving through his kingdom regularly (admittedly not all of it; it is obvious Charlemagne never visited large sections of his empire),¹⁷⁶ Charlemagne was able to make his power felt politically and to support himself economically by living off his scattered estates.¹⁷⁷ Other scholars feel that Aachen, particularly given its ideological overtones, was a real capital, meant to correspond to Roman tradition and Byzantine reality.¹⁷⁸ More recently, reconsidering the evidence for Charlemagne's movements, Rosamond McKitterick has argued that Aachen was one among a small group of central places: The king was not fully itinerant, but Aachen alone did not function as a fully-fledged capital, as the primary seat of political power.¹⁷⁹ Aachen is an important test case for our consideration of standardization and centralization, because it is the best example of centralization I am aware of, and yet has little to tell us about standardization.

Perhaps the first question we must address in considering whether Aachen was a capital is how much time Charlemagne spent there. It was blatantly, and by far, the favored residence from about 796 onward, and by the end of the reign, the clear center of the realm.¹⁸⁰ That said, Charlemagne's movements may have lessened as his reign went on, but he never stayed anywhere, Aachen included, constantly.¹⁸¹ Moreover, there were other places that held strategic importance.¹⁸² For instance, a number of significant events can be tied to Paderborn, another place Charlemagne built up himself.¹⁸³ What is really the deciding factor, however, is the expectation by the 800s that Aachen was where you found Charlemagne.¹⁸⁴

¹⁷⁵ For a deconstruction of this view, with ample attention to the previous scholarship, see McKitterick, *Charlemagne*, pp. 171–8; and McKitterick, “A King on the Move.” I would like to thank Rosamond McKitterick for sending me a copy of this article.

¹⁷⁶ The classic account is Gauert, “Zum Itinerar,” but see now McKitterick, *Charlemagne*, pp. 178–86.

¹⁷⁷ Brühl, *Fodrum, gistum*, pp. 60–107.

¹⁷⁸ The starting point remains *Karolingische Kunst*, ed. Braunfels and Schnitzler, but see Note 207 for some more recent interpretations.

¹⁷⁹ McKitterick, *Charlemagne*, chapter 3. See also Gravel, *Distances, rencontres*, pp. 46–71 on limited itinerancy during the reigns of Charlemagne and Louis the Pious.

¹⁸⁰ The best discussion is now Nelson, “Aachen as a Place of Power.”

¹⁸¹ McKitterick, *Charlemagne*, p. 180.

¹⁸² For general orientation see Jacobsen, “Zur Pfalzkonzeptionen”; Staab (ed.), *Die Pfalz*; Zotz, “Grundlagen, Grenzen und Probleme”; Zotz, “Le palais et les élites.” My interpretation will not agree with every detail of all of these works, but they provide a useful entry into the literature.

¹⁸³ Gai, “Die Pfalz Karls des Großen in Paderborn.”

¹⁸⁴ Nelson, “Aachen as a Place of Power,” pp. 219–20 (pp. 3–4 in the reprint).

As has long been recognized, after 800 Charlemagne usually left Aachen only to hunt or go on campaign.¹⁸⁵ The best source of information for Charlemagne's movements is the royal charters.¹⁸⁶ These sources do not allow us to completely map Charlemagne's itinerary, of course.¹⁸⁷ McKitterick has also recently questioned the charter evidence, noting that the place where a charter was drawn up need not inevitably imply the king's personal presence in that place at that precise moment.¹⁸⁸ McKitterick's argument depends on her reading of the charters from 775, the year in which Charlemagne gave more charters than any other year in his reign.¹⁸⁹ The evidence for movement by the king in 775, when we take into account the charters and all the other information available, does imply that some charters may not have been fully drawn up in the personal presence of the king. Insisting on his presence at all signings of charters would require very high speed of movement.¹⁹⁰ However, 775 is a unique year in terms of giving charters, many of which were related to the conquest of Italy.¹⁹¹ Much of the time the king quite clearly was present when charters were given, as when he gave Italian charters in clumps that correspond to his personal visits to the former Lombard kingdom.¹⁹² Moreover, we should be hesitant to extrapolate from the conditions of charter giving in 775 to the rest of the reign, precisely because the use of charters in this year was unprecedented and would not be repeated during Charlemagne's reign.¹⁹³ A final problem is how we can assess, using diplomatic evidence, whether the king was present or not. As far as I can see, such an endeavor is impossible. What we can say is that the evidence is strong that most of the time the charters can be taken as a good indication of the king's presence. Undoubtedly, there were exceptions during the over forty years Charlemagne ruled. For the most part, however, the charters match well with evidence from other kinds of sources on Charlemagne's movements and he gave, in comparison with most Carolingian rulers, a quite limited

¹⁸⁵ Nelson, "Aachen as a Place of Power," p. 219 (p. 3 in the reprint).

¹⁸⁶ Gauert, "Zum Itinerar," pp. 307–8.

¹⁸⁷ The best effort remains Böhmer, et al. (eds.) *Die Regesten des Kaiserreichs*.

¹⁸⁸ McKitterick, *Charlemagne*, pp. 188–97.

¹⁸⁹ McKitterick, *Charlemagne*, pp. 189–95; McKitterick, "Court and Communication."

¹⁹⁰ McKitterick, *Charlemagne*, p. 192.

¹⁹¹ In addition to the Italian charters given this year, namely, DK nos. 98 and 99 to Farfa, other charters make reference to Italian circumstances, such as DK 94 to Saint-Denis (ChLA 15, nos. 616 and 617).

¹⁹² See full discussion in [Chapter 4](#), pp. 220–2.

¹⁹³ Compare McKitterick, *Charlemagne*, pp. 189–95; McKitterick, "Court and Communication."

number of charters.¹⁹⁴ The charter was not an indiscriminate tool, but a targeted one, which increases the likelihood that it was employed in the personal presence of the king.¹⁹⁵ We will never be able to trace Charlemagne's movements on a day-to-day basis, but the basic outline of the king's movements is clear. After a few decades of using a number of palaces in the Frankish heartlands and spending much of his time on campaign, Charlemagne built himself a palace, which became a true capital.¹⁹⁶ The king's subjects knew they would find him there, ambassadors were easily sent on, and the capital became a court center that schooled aristocrats in the ethos of Carolingian rule.¹⁹⁷ For the second half of the king's reign, political life was centralized and based in Aachen.

Aachen as a model palace?

During the course of his reign, Charlemagne used a number of palaces: Those he constructed himself, those that were inherited from the Merovingian and other fiscs, and those that were old Pippinid-Arnulfing strongholds.¹⁹⁸ But Aachen stands alone among them, and not just because of the frequency with which Charlemagne resided there or its position as the capital of the realm. To fully establish the status of Aachen during Charlemagne's reign requires thinking about the nature of other Carolingian palaces in relation to Aachen. In his chapter on Charlemagne's building projects, Einhard singles out three palaces for special mention, namely, Aachen, Ingelheim, and Nijmegen.¹⁹⁹ Einhard's model of three key palace sites has had a strong impact on the historiography, and for good reason.²⁰⁰ First, at least two of these sites are places we know from written sources were important.²⁰¹ Second, the fact that this

¹⁹⁴ Overview in Bautier, "La chancellerie," pp. 6–8 (pp. 462–4 in the reprint). The point is also noted by Nelson, "The Settings of the Gift," pp. 118–19 and W. Hartmann, *Karl der Große*, p. 20.

¹⁹⁵ See now Koziol, *The Politics of Memory*, although many of Charlemagne's charters are more shaped by piety than by politics *per se*.

¹⁹⁶ Compare McKitterick, *Charlemagne*, p. 188.

¹⁹⁷ Nelson, "Aachen as a Place of Power," pp. 219–25 (pp. 3–8 in the reprint).

¹⁹⁸ For overviews of sites, see Wemhoff and Stiegemann (eds.), 799; Meckseper, "Methodische Probleme"; Sage, "Zur archäologischen Untersuchung."

¹⁹⁹ Einhard, *Vita Karoli*, c. 17, p. 20.

²⁰⁰ An excellent overview of Carolingian palaces, using Einhard's scheme, is Lobbedey, "Carolingian Royal Palaces," p. 143.

²⁰¹ The key written description of Ingelheim is in Ermold (see [Note 218](#)). There are many descriptions of Aachen, well surveyed in Nelson's "Aachen as a Place of Power." See also de Jong, "Charlemagne's Balcony" and Patzold, "Kunst und Politik," especially pp. 244–50. Patzold offers a somewhat different view of what constitutes a model palace than that given here, but he provides an excellent overview of the evidence, written and

testimony comes from Einhard suggests we should indeed take it very seriously. In addition to the general quality of his information, Einhard likely helped design and construct the Aachen palace.²⁰² Einhard is usually well informed, even when he claims otherwise, but palace architecture was a topic that Einhard had particular knowledge of and investment in.²⁰³ Third, the model of Augustus, and his transformation of Rome, encourages readers of Einhard to look for similar evidence of a ruler reshaping his landscape.²⁰⁴ Perhaps Einhard meant to tell us that Charlemagne too remade visually the Carolingian world.

The listing of these three sites in the *Vita Karoli* has thus suggested to many scholars that they constituted the favored residences of the king, and were equivalents, in ideological impulse if not in frequency with which the king stayed there.²⁰⁵ That is, Aachen can be seen as a model palace, setting an example for other places throughout the realm. The idea that Aachen served as a model for other palaces implies a form of standardization. It suggests that there was a network of palaces that served similar functions throughout the realm and that replicated Aachen in miniature, providing regularity and uniformity to the realm. It also suggests that there was a set plan for a royal palace, which the king consciously built up throughout the realm. While we can defend the idea of Aachen as a capital, we cannot see it as the central node in a network of palaces.

The available source material, both written and archaeological, argues against the assumption that there was any kind of equivalence between Einhard's favorite three sites, or indeed between Aachen and any other palace. Charlemagne did not stay at Ingelheim or Nijmegen with

material, for Aachen, and very helpfully unpacks its ideology without reference to imperial concepts. There is less literary evidence for Nijmegen, although see [Note 206](#).

²⁰² Dutton, "An Introduction to Einhard," pp. xiii–xv.

²⁰³ On Einhard's discretion, see, Dutton, "An Introduction to Einhard," pp. xxi–xxii.

²⁰⁴ Suetonius, *De vita caesarum*, ed. Ihm, vol. 1, Life of Augustus, chapters 28–30, pp. 62–4. For commentary on the Augustan rebuilding of Rome, see Favro, *The Urban Image*; Galinsky, *Augustan Culture*, chapter 4; Haselberger, *Urbem Adornare*; Rose, "The Parthians in Augustan Rome"; Zanker, *The Power of Images*. I would like to thank Meg Andrews and Jackie Murray for advice on this point. Such rebuilding is also associated with Theodoric. See, for example, La Rocca, "Perceptions of an Early Medieval Urban Landscape," pp. 417–25; Ward-Perkins, *From Classical Antiquity to the Middle Ages*, pp. 28, 30, 68–9, 128–9, 145–6, 158–68, 192–3, 215–17; Pferschy, "Bauten und Baupolitik," pp. 259–91; Johnson, "Toward a History of Theodoric's Building Program."

²⁰⁵ For instance, Lobbedey, "Carolingian Royal Palaces," p. 143. He is careful to note other palaces do not match the level of the "big three" and that there is a special status attached to Aachen.

anywhere near the frequency with which he stayed at Aachen.²⁰⁶ We have no evidence for any other palace as a locus of administration, as we saw Aachen was. There is thus no support in the written sources for treating any other site as equivalent to Aachen. What has been less appreciated is that there is similarly no support in the sources, in particular the archaeological evidence, for the idea that most Carolingian palaces during the reign of Charlemagne looked all that much like Aachen.

In order to make this argument, we must say something about what the model of Aachen implies about other palaces; that is, what are we looking for in other sites? Our knowledge of palaces used by Charlemagne is fairly minimal. We can trace his movements reasonably well, but archaeological investigation of Carolingian palaces is still sadly limited. We understand, for example, the basic layout of the palace and chapel complex at Aachen, but we can establish little else archaeologically of the area.²⁰⁷ Written sources tell us about courtiers with houses and Charlemagne's zoo, but the layout of the other buildings, the settlement density, the overall size of the *vicus*, among other aspects of its development, are entirely unknown.²⁰⁸ A few evocative stories in the written sources give us a little glimpse of life in Aachen. For instance, Einhard's letter to his steward about preparations for his return to his home in Aachen provides a few hints about the nature of aristocratic housing in Aachen.²⁰⁹ Einhard's *Vita Karoli* tells us about the hot springs that eased Charlemagne's gout, and where he went swimming with the men of the court.²¹⁰ Einhard comes to our aid yet again when he portrays some of

²⁰⁶ Charlemagne is clearly attested at Ingelheim in 788 and 807 (Böhmer, et al. [eds.], *Die Regesten des Kaiserreichs*, nos. 292a–294a and 428b–429). The best evidence for Nijmegen is Einhard, as in [Note 199](#). We do have some other evidence for Charlemagne's presence at Nijmegen, such as DK 177, a charter given there in 777.

²⁰⁷ For some overviews of Aachen, see Binding, "Die Aachener Pfalz"; Flach, "Pfalz, Fiskus und Stadt Aachen"; Kaiser, "Aachen und Compiègne"; Untermann, "opere mirabili constructa"; Müller, Bayer, and Kerner (eds.), *Die Aachener Marienkirche*; Pufke (ed.), *Die karolingische Pfalzkapelle in Aachen*. For recent discussion, and comparison to other "places of power," see the many studies in Pohle (ed.), *Karl der Grosse/Charlemagne*, vol. 1: Orte der Macht: Essays. In referring to the church as the chapel, I am simply using the most common term. No judgment on the disputed question of the status of this church (parish church, palace church, etc.) is implied.

²⁰⁸ Untermann, "opere mirabili constructa," pp. 161–2. For recent archaeological investigations, see Giertz, "Zur Archäologie von Pfalz," and the essays in Pohle (ed.), *Karl der Grosse/Charlemagne*, vol. 1: Orte der Macht: Essays, which stress the stages of construction. Compare McKitterick, *Charlemagne*, pp. 167–9, downplaying much construction at Aachen other than the palace and church during the reign of Charlemagne. While the archaeology is certainly lacking, Charlemagne's use of the site implies to me that there was already an extensive settlement with multiple types of buildings, admittedly constructed in phases.

²⁰⁹ Einhard, letter 5, p. 111. ²¹⁰ Einhard, *Vita Karoli*, c. 22, p. 27.

the busyness of the court while narrating the translation of the saints Peter and Marcellinus.²¹¹ When Louis the Pious became king, he cleaned the undesirable elements out of Aachen, including his own sisters.²¹² An area large enough to house the king's entourage and the services that catered to them implies an urban agglomeration of at least some size, but we have no precise evidence of anything other than the palace (which does not survive; it is currently beneath the late medieval Gothic town hall) and the chapel. Helpfully, Charlemagne's stunningly beautiful church does survive, with occasional later interventions.²¹³ The unusual octagonal building is typically argued to be modeled on San Vitale at Ravenna. The shape of the buildings are indeed similar, but the decoration is so radically different that it is hard to sustain the idea that Aachen was based on Ravenna.²¹⁴ There are numerous comparanda to Aachen in its shape, but much less so in its decoration, nor, in the North, in its size. Thus, it seems to me that the key features of Aachen in physical terms (as far as we can judge from the current state of knowledge) that we might seek to find elsewhere are: A palace-chapel complex, a location in some kind of urban context, an intricate program of decoration, and significant size of the complex as a whole.

If we attempt to match this model to Einhard's other main palaces, we find little equivalence. Nijmegen must be set aside as there has been virtually no archaeological investigation of the site and we have no clear written description.²¹⁵ Ingelheim is a very different case, but here too there is limited firm evidence to suggest that the palace was comparable in any sense to Aachen during Charlemagne's reign. The point, however, requires some justification. Ingelheim is famous both for its extensive excavated area and for Ermold the Black's poem describing the decorative wall paintings.²¹⁶ While both the archaeological remains and the written testimony suggest that Ingelheim was an impressive complex along the lines of Aachen at some point in its history, neither provides any evidence of such an extensive complex during the reign of Charlemagne.²¹⁷ Ermold

²¹¹ Einhard, *Translatio et miracula sancti Marcellini et Petri*, particularly book 2, pp. 245–8.

²¹² Astronomer, *Vita Hludowici imperatoris*, c. 21, p. 348 and c. 22, p. 352.

²¹³ On the impact of the interventions, see Bullough, "Imagines regum," pp. 57–8.

²¹⁴ Bullough, "Imagines regum," p. 58; Nelson, "Aachen as a Place of Power," pp. 220–2 (pp. 4–5 in the reprint).

²¹⁵ See the overview on Nijmegen in Binding, *Deutsche Königspfalzen*, pp. 115–16.

²¹⁶ Grewe, "Die Ausgrabungen in der Königspfalz Ingelheim"; Grewe, "Die Königspfalz zu Ingelheim am Rhein"; Wengenroth-Weimann, *Die Grabungen an der Königspfalz zu Nieder-Ingelheim*.

²¹⁷ These comments are based on my examination of the site in summer, 2011. I would like to thank Joachim Henning for taking me to Ingelheim and discussing the archaeological evidence with me. He is of course not responsible for the argument that follows.

associates the decorative program he praises with Louis the Pious, who favored the palace at Ingelheim.²¹⁸ The program of images has attracted extensive historical commentary, and indeed offers important evidence on the ideology of rulership, regardless of if the program was actually realized (it has not been recovered).²¹⁹ But even if such a program did exist, we cannot securely link it to the reign of Charlemagne.

The archaeology of Ingelheim is more problematic than the written evidence for its decoration. The site was originally dug without modern stratigraphic methods.²²⁰ The main palace complex has been partially reconstructed.²²¹ The original fill is gone and thus the stratigraphy cannot be seen any longer. What is standing today is an approximation of the Ottonian site, but it is unclear how much of the complex actually dates from the Carolingian period.²²² The Carolingian era remains that have been found using modern techniques are few in number, and, at least in the case of a presumed Carolingian church, quite small.²²³ We have thus no clear evidence of what the site looked like in the Carolingian period, much less under Charlemagne specifically. The archaeological work that has been done has not uncovered remains of a significant urban agglomeration at any period in its history. Thus, while Ingelheim may eventually have been a palace on the order of Aachen, this cannot be demonstrated to be true for Charlemagne's reign and the evidence we do have is more focused on later periods.

Our knowledge is of course hampered by the lack of extensive excavation elsewhere, but the few hints we have from other palaces reinforce the picture of limited construction during Charlemagne's reign. For instance, Frankfurt may have been an important location for Charlemagne, but the minimal evidence we have for the Carolingian palace there is best

²¹⁸ Ermoldus Nigellus, *Carmen in honorem Hludowici pii*, book 4, lines 2062–163, pp. 156–64. It is also not clear if Ermold's description was meant to be an accurate recounting, or is a poetic invention. I thank Larry Nees for his advice on this point.

²¹⁹ Classically, Lammers, "Ein karolingisches Bildprogramm."

²²⁰ There is an overview of the history of the excavations in Grewe, "Die Königspfalz zu Ingelheim am Rhein," pp. 142–5; Grewe, "Die Ausgrabungen in der Königspfalz zu Ingelheim," pp. 155–8.

²²¹ There are useful photos on the website for the site: www.kaiserpfalz-ingelheim.de/ueberblick_kaiserpfalz_im_mittelalter.php.

²²² Grewe, "Die Ausgrabungen in der Königspfalz zu Ingelheim," for an overview. When read carefully, the recent discoveries either postdate Charlemagne or cannot be dated precisely and are assumed rather than proven to be of Carolingian date.

²²³ In addition to the Note above, see the discussion of the nature of the possible churches used in the Carolingian era, which include a surprisingly small Carolingian period building and an older church a far distance from the palace site: Grewe, "Die bauliche Entwicklung der Pfalz Ingelheim"; Grewe, "Die Pfalz zu Ingelheim am Rhein," pp. 189–90.

associated with Louis the Pious and Louis the German.²²⁴ Paderborn, which is by far the most fully excavated of all the palaces associated with Charlemagne, confirms the impression that the basic layout of church and *aula* was a key architectural element of a Carolingian palace.²²⁵ This complex was consciously constructed by Charlemagne, and thus is similar to Aachen, but the extensive and careful excavations have revealed neither a sizable urban center, nor a complex on the scale of Aachen, nor a particularly involved decorative program.²²⁶ As far as we know now given the current state of research, there is virtually no evidence for an extensive series of palaces of the size, scale, or complexity of Aachen.²²⁷

This does not mean that there was not a network of places for the king to stay spread out through the empire. Many important institutions and people were quite concerned that they be able to provide appropriate accommodation for Charlemagne. For example, recent excavations at the monastery of Saint-Denis outside Paris have uncovered a palace seemingly dated to the late eighth century, which would have housed the king if he visited.²²⁸ Similarly, Leidrad, bishop of Lyons, decided to build an impressive house for Charlemagne to stay in should he visit Lyons. Leidrad sent a letter to Charlemagne, which reported on his efforts to construct a palace.²²⁹ Unfortunately for Leidrad, after all his work, Charlemagne never arrived. However, the bishop's concern to provide suitable accommodation no doubt found echoes among the efforts of other important monasteries, bishoprics, and individuals. The Saint-Denis building perhaps

²²⁴ Overview in Binding, *Deutsche Königspfalzen*, pp. 117–22 and Meckseper, “The Imperial Hall at Frankfurt am Main”; details in Wintergerst, with Wamers, *Franconofurd*.

²²⁵ For overviews of the Paderborn site, see Gai and Mecke, with a contribution by Käufer, *Est locus insignis*; Lobbedey (ed.), *Die Ausgrabungen im Dom zu Paderborn*; Mecke, “Die karolingische Pfalz Paderborn.” Arguing against too much similarity between Paderborn and Aachen, see Jacobsen, “Die Renaissance der frühchristlichen Architektur,” p. 624. The lack of a significant palace/chapel complex at Ingelheim during the Carolingian period is worthy of further attention. However, at this stage of research, the combination still seems an important element of a Carolingian royal site.

²²⁶ Paderborn is also similar to Aachen in the extent to which Charlemagne's building project transformed the landscape. For this impact on Saxony, see Wemhoff, “Zentralität, Sakralität, Repräsentativität.”

²²⁷ See also the comparison of the size of palace halls in Lammers, “Ein karolingisches Bildprogramm,” here p. 239, note 37, and p. 240 (p. 231, note 37 and p. 232 in the reprint) and in Ley and Wietheger, “Der karolingische Palast König Davids in Aachen,” p. 243.

²²⁸ Wyss, “Saint-Denis”; Wyss, “Die Klosterpfalz Saint-Denis.”

²²⁹ *Epistolae variorum*, no. 30, pp. 542–4, here p. 543.

provides a sense of what such a place might have looked like.²³⁰ The key point for us is that it was not comparable to Aachen.

To summarize what we have seen thus far: Einhard implies a network of palaces on the level of Aachen. The comparison with the Ottonians might suggest the same thing. However, the surviving evidence on the whole underscores the special status of Aachen. This verdict can only be provisional as the archaeology is lacking. Fuller study of Carolingian palaces would be of tremendous value. What we can see is a network of places where the king might stay, ranging from foundations dating from the Merovingian period like Quierzy,²³¹ to Charlemagne's own constructions like Paderborn, to a house built by the aristocracy, such as the palace at Saint-Denis.²³² There is no cause to think that any of these looked like Aachen; that they were as complex or large as Aachen; or that they demonstrated anywhere near the level of wealth and conspicuous display and ideological architecture as Aachen.²³³ Charlemagne stayed at lots of places. But perhaps unsurprisingly for a king who spent literally almost half of his reign on campaign, most of the places we can associate with him were not especially elaborate. Indeed, the frequency with which Carolingian buildings were built of wood versus stone is a point worthy of further investigation.²³⁴ We tend to assume material sophistication mirrors political sophistication, but further archaeological investigation is required to clarify whether the sites of Carolingian political power were indeed at all physically imposing, beyond the special case of Aachen.²³⁵ The regulations that imply assemblies could be held outdoors, with some kind of roof to cover the participants, might suggest that the physical setting of Carolingian power is at odds with its political

²³⁰ Wyss, "Un établissement carolingien." ²³¹ Barbier, "Quierzy."

²³² I assume here that the abbot and monks of Saint-Denis were responsible for its construction. On the rebuilding of Saint-Denis' church, see now Emerick, "Building *more romano*." I would like to thank Jud Emerick for sending me this article and discussing his arguments with me.

²³³ On the variability of Carolingian royal architecture, from a different perspective, see Samson, "Carolingian Palaces and the Poverty of Ideology," especially pp. 123–6.

²³⁴ Loveluck, "Rural Settlement Hierarchy," p. 237 on stone as a distinguishing feature of high status sites. For some general considerations on how to distinguish elite sites, see Burnouf, "Les estimateurs archéologiques."

²³⁵ We should also note that even in Aachen, which was built very quickly, construction did last at least for a few years. The latest dendrochronological dates, which suggest intensive work on the chapel from 795–803, make it clear that Charlemagne for a time lived in the middle of a construction project. Unfortunately, we have no information to assess the timing of the construction of his palace or of other buildings. For an overview of the new dating arguments, see Heckner, "Der Tempel Salomos in Aachen," pp. 25–43. And compare with McKitterick, as in [Note 208](#), who argues for minimal construction in Aachen during the reign of Charlemagne.

reach.²³⁶ This was simply not a reign predicated on economic or political itinerancy, as the Ottonian reigns were.²³⁷ Nor was this a reign dependent on conscious display. Compared to Charles the Bald, who commissioned numerous pictures of himself, we have very few contemporary portraits of Charlemagne.²³⁸ Whatever supported Charlemagne's

²³⁶ Hincmar of Reims, *De ordine palatii*, c. 35, p. 94 reports assemblies can be held in or out of doors. Some texts prohibit assemblies from being held in churches (for example, *Capit.* I, no. 78, c. 21, p. 174), but others state that roofs should be provided at assembly sites. *Capit.* I, no. 61, c. 13, p. 149: "Ut in locis ubi mallos publicos habere solent, tectum tale constituatur, quod in hiberno et in aestate ad placitos observandos usus esse possit." A similar regulation requiring assembly sites to be maintained also indicates some kind of structure: *Capit.* I, no. 62, c. 25, p. 151: "Ut loca ubi placita esse debent bene restaurare faciant, sicut ore proprio diximus." The latter two regulations are linked; see [Chapter 2](#), pp. 113–14. The point is worthy of further attention, but seemingly assemblies could take place either inside or outside.

²³⁷ On the importance of itinerancy to the Ottonians, see Müller-Mertens, *Die Reichsstruktur*; Bernhardt, *Itinerant Kingship and Royal Monasteries*.

²³⁸ There are only a very few surviving contemporary depictions of Charlemagne. For overviews, counting somewhat differently than I do, see Schramm, *Die zeitgenössischen Bildnisse*; Schramm, *Die deutschen Kaiser*, pp. 34–43, 148–55, plates 1–10. The best general discussion is Bullough, "Imagines regum," pp. 56–65. The most certain image is the portrait coinage, the so-called imperial coinage issued toward the end of the reign. On Charlemagne's portrait coinage see Lafaurie, "Les monnaies impériales"; Kluge, "Nomen imperatoris et Christiana religio"; Garipzanov, "The Image of Authority," pp. 207–15; Garipzanov, *The Symbolic Language of Authority*, pp. 208–16. This coinage is usually tied to the Byzantine recognition of Charlemagne's imperial title, and thus dated to 812. Kluge previously advocated an earlier date, while Garipzanov dates the coinage to 813. While the Byzantine recognition seems an unlikely prompt for the new coinage, the traditional late dating is likely correct, and is supported by Kluge's new argument for dating the coinage to 813, which is discussed in [Chapter 7](#), pp. 375–6. I cannot see how Fried's link between the coinage and charity for the Holy Land would work: Fried, *Karl der Grosse*, pp. 511–12. I offer a new interpretation of this coinage in J.R. Davis, "Charlemagne's Portrait Coinage." The second contemporary depiction is debated, namely, the bronze statue of a king on horseback in the Louvre. It is unclear if the king is Charlemagne or Charles the Bald, or if the statue, if it is indeed Charlemagne, was made during his lifetime. It seems to me likely to be Charles the Bald and almost definitely to postdate the reign of Charlemagne, regardless of who was depicted. On the bronze statue: Braunfels, entry 29a and b, in *Karl der Grosse: Werk und Wirkung*, pp. 42–3; Schramm, *Die zeitgenössischen Bildnisse*, pp. 29–41; Schramm, *Die deutschen Kaiser*, pp. 58–9; Bullough, "Imagines regum," p. 62; Mutherich, "Bemerkungen zur Metzger Reiterstatuette"; Mutherich, "Die Reiterstatuette aus der Metzger Kathedrale"; Gaborit-Chopin, *La statuette équestre de Charlemagne*; Gaborit-Chopin, "Statuette équestre dite de Charlemagne." A third type of contemporary depiction of Charlemagne is the Roman mosaics patronized by Leo III, namely, the lost mosaics of Santa Susanna and the reconstructed Lateran triclinium images; on these see Luchterhandt, "Famulus Petri." There is a huge further bibliography on these images, including: Belting, "Die beiden Palastaulen Leos III.," Belting, "Papal Artistic Commissions," pp. 15–16; Krautheimer, "Die Decanecubita"; Ladner, "I mosaici e gli affreschi," pp. 267–9 (pp. 349–50 in the reprint); Lavin, "The House of the Lord," pp. 12–15; Davis-Weyer, "Die Mosaiken Leos III.," Schramm, *Die zeitgenössischen Bildnisse*, pp. 3–20. On the restoration work done on the Lateran mosaics see Herklotz, "Francesco Barberini." In any case, these mosaics reflect Leo's vision of

authority, it was not a visual or architectural display of royal power, nor the personal presence of the king. A place like Paderborn was both a pragmatic center for the incorporation of Saxony and an ideological statement of Carolingian priorities and power.²³⁹ Aachen was not alone in its role as both a political site and simultaneously an ideological one. Yet, Aachen was a place apart in its size, its setting, its decoration, its prestige, and its use by the court. Charlemagne did not govern through a network of palaces. He visited many palaces, but Aachen was a unique site in the empire of Charlemagne.

Aachen as political center

We have seen how often Charlemagne frequented Aachen, and we have considered the archaeology and written evidence for other palaces to underline the particularity of Aachen. The king's frequent residence at Aachen and its special status in the realm allowed it to serve as a real capital, admittedly in the second half of the reign, after the first years spent on campaign and at a few favored palaces.²⁴⁰ Knowing where to find the king is a clear boon to centralization.²⁴¹ By the end of Charlemagne's reign, all roads did indeed lead to Aachen. But this centralization around Aachen was not part of an effort to create a standardized, bureaucratic center of rule. Indeed, Aachen seems to have gained its administrative functions gradually. That is, Aachen's status as capital emerged from how Charlemagne used it, not from a plan ahead of time for a full capital.²⁴² Our sources on communication focus on the

Charlemagne, not the royal court's projection of his image. I would like to thank Carly Steinborn for references and discussion of the Lateran triclinium. There is an extensive bibliography on Charles the Bald's ruler portraits. For an overview, with attention to images, or lack thereof, of other Carolingian rulers, see Garipzanov, *The Symbolic Language of Authority*, pp. 228–60, with further references. I will address the reasons for the limited contemporary depiction of Charlemagne elsewhere.

²³⁹ See, for instance, *Karolus Magnus et Leo Papa*, lines 426 to the end (pp. 88–96), describing the meeting at Paderborn. However, I am not convinced by Hauck's argument that Charlemagne emulated Constantine in his construction of Paderborn: Hauck, "Karl als neuer Konstantin 777." Hauck, to my mind, overstates the ideological coherence of the site.

²⁴⁰ For the favored palaces from the first half of the reign, see McKitterick, *Charlemagne*, pp. 160–6.

²⁴¹ See also the comments on Aachen and "Staatlichkeit" in: Scior, "Bemerkungen zum frühmittelalterlichen Boten," p. 321.

²⁴² I build here on the work of Rudolf Schieffer: "Vor 1200 Jahren." I will address this issue further elsewhere. Part of the problem is also the tendency to interpret Charlemagne's Aachen in light of later evidence, an issue pointed out by McKitterick, *Charlemagne*, p. 160.

king, not on a place. The reality that the king was to be found in a particular location was what made Aachen a capital, not a pre-existing decision to construct a political center. The building of Aachen made possible new ways for Charlemagne to deal pragmatically with his huge empire and to insist on shaping political channels of communication. Moreover, making everyone visit Aachen was a way of acting out the king's authority. Aachen was, for Charlemagne, not a model of a good palace that was meant to be spread across the empire. As we have seen, the type of rule that took place at Aachen had more to do with communication than standardization and Aachen itself never became a model to propagate. What Aachen came to do was serve the pragmatic purpose of making it easier to try to govern a vast empire and to stake a political claim: Charlemagne was the center of the empire. Anyone who wanted to play on the political stage needed to come to him. The special status of Aachen did not fully extend to other palaces. Anywhere the king was present was public in some sense, but there was not a network of sites of equivalent status to Aachen. The capital thus served as a center, but not as a node of standardization. Rather, Aachen stands as a monument to distinction: It underlines the particular role of the king, not a shared aristocratic landscape.

The two case studies of purported centralization and standardization we have examined here allow us to rethink the nature of such efforts at order and regularity in Charlemagne's empire. First, we must uncouple the issues of standardization and centralization. The two may be inevitably linked in a modern political society, but there is no cause to assume they were connected in the medieval world. Second, we have much better evidence for centralization than standardization. Even when the king at first glance seemed to ask for unity and regularity, a closer examination suggests other concerns, at least much of the time. That is not to deny some areas where unity was seen as necessary. On the whole, however, Charlemagne did not seek to encourage much in the way of standardization in his empire. Third, the kind of centralization we perceive during Charlemagne's reign is political and pragmatic. The evidence for the ideological construction of the court as a model of society at large postdates Charlemagne's reign.²⁴³ Charlemagne may have sought order in the sense of everyone having a place, but the careful hierarchical constructions of society that incorporated both church and empire were usually not written in Charlemagne's lifetime.²⁴⁴ The two case studies

²⁴³ Of the sort discussed, for example, by Fried, "Der karolingische Herrschaftsverband."

²⁴⁴ Works such as Walafrid Strabo's *Libellus de exordiis et incrementis* are almost entirely a product of the reigns subsequent to Charlemagne's.

used here were chosen because of their traditional weight in historiographical discussions of these issues. However, they also illuminate another key aspect of the nature of political centralization under Charlemagne. And that is that they both relate to centralization in the sense of creating a web of political connections around Charlemagne, whether via employing Aachen as a physical locus for the king to interact with his people or via using written administration as part of a network of communications between king and empire.²⁴⁵ The nature of the centralization fostered by Charlemagne can thus be best characterized as a centralization of communications, as the shaping of the web of connections that constituted early medieval political life.

The empire was centralized from the start by the extent to which the political networks fostered by the Carolingians coalesced around the person of the king. The eventual use of Aachen as a real capital during the second half of the reign only heightened these processes of centralization. When we look at the empire from a top-down perspective, from the vantage point of the royal court, what the king and his men were attempting was to focus and center all political life on themselves.²⁴⁶ This did not mean destroying pre-existing networks; it simply meant rerouting them centripetally around Charlemagne and eventually his capital.²⁴⁷ Charlemagne's vision of centralization thus did not require, nor in fact encourage, uniformity. The effort of the king and his men to turn themselves into the hub of a network of communication was a project with centralizing aims but which neither needed nor resulted in standardization. The unity the court did seek could come from political networks while still leaving ample room for diverse practices of rule. What held Charlemagne's empire together was not uniformity, but a particular combination of centralization and the political dominance of the king and court, tempered with regional diversity.

²⁴⁵ See in particular Airlie, "The Palace of Memory"; Nelson, "Aachen as a Place of Power."

²⁴⁶ See Innes, *State and Society*, pp. 185–7, 253–4, 259–63, telling this story from the regional perspective.

²⁴⁷ See discussion in [Chapter 1](#), pp. 83–5.

Part II conclusion: the imperial character of Charlemagne's realm

One of Einhard's most memorable stories about Charlemagne relates how the emperor liked to go swimming in Aachen's hot springs, to help relieve his gout.¹ The king would invite his retainers and friends to join him so that a hundred men might be swimming together. Of course, the story carefully crafts an image of an accessible Charlemagne, strengthening bonds of amity and cooperation with his people, and blending in with the aristocracy rather than holding himself apart. If we try to picture this gathering at the Aachen baths, we are quickly stymied by a lack of any physical evidence of what the area around the hot springs, or indeed most of Aachen, looked like.² One thing we can be sure of, however, is that the groups who went swimming with Charlemagne would have been of mixed origins. The men who advised the king and sought honors from him and brought his power, when it suited them, into local regions, were not solely Franks, but also Lombards, Bavarians, Visigoths, Aquitainians, Thuringians, Saxons, and Avars.³ We can perceive the ethnic and cultural diversity of the Carolingian empire most clearly on the level of the aristocracy, in the shape of people like the Anglo-Saxon Alcuin, the Lombard Aio, the Bavarian Arn of Salzburg. Yet, this ethnic diversity marked all aspects of political life in the empire, from the *scabini* of mixed origin who heard court cases⁴ to the Saxons deported and then settled throughout the empire.⁵ Whatever ethnic ties had come to mean by

¹ Einhard, *Vita Karoli*, c. 22, p. 27. Swimming with the king is also noted in Alcuin, letter 262, p. 420. See too Nelson, "Aachen as a Place of Power," pp. 217–18 (pp. 1–2 in the reprint).

² See pp. 327–8 on the problematic archaeology of Aachen.

³ This does not mean that the experiences of these regional aristocracies were entirely the same. For example, Lombards were not fully integrated into the *Reichsaristokratie*. But the multi-ethnic character of Charlemagne's advisers is still striking.

⁴ On the *scabini*, see [Chapter 1](#), pp. 52–3 and [Chapter 5](#), pp. 273–4 on their introduction into Italy.

⁵ The conquest of Saxony involved frequent deportations of people. Examples include: *Annales Sangallenses Baluzii* s.a. 805, p. 63; *Annales Sancti Amandi* s.a. 798, p. 14.

the late eighth/early ninth century,⁶ the diversity which marked Charlemagne's empire is constantly visible. Charlemagne ruled peoples with different languages, histories, customs, laws, dress, and sometimes religions.⁷ The reality of this diversity and the impossibility of eliminating it is immediately evident to all students of early medieval history.

Yet, the nature of the diversity of Charlemagne's empire has not always been fully appreciated. Indeed, previous scholarship has tended not to conceptualize Charlemagne's polity as an empire. There are some good reasons for this. First, Charlemagne's empire does not look much like modern empires, nor indeed much like other possible historical parallels, such as the Chinese or Roman empires. Second, as we will see in [Chapter 7](#), the imperial coronation as such had little impact on Charlemagne's rule.⁸ Third, thinking about the realm as a kingdom or group of kingdoms makes more apparent some of the continuities with previous and subsequent Frankish polities. Finally, as we have also seen, much of the ideology of empire postdates the reign of Charlemagne and thus offers minimal help to those seeking to understand how Charlemagne's realm worked.⁹ Yet, we must understand Charlemagne's realm as an empire, because only by so doing can we fully appreciate the dynamics of political change that kept it going, the constant prod to adaptation and innovation presented by the need to rule so many different political groups, and the diversity the court built on rather than seeking to eliminate.

The examination of the balancing between center and periphery and the resulting imperial structure undertaken here reveals several important features of the nature of Charlemagne's empire. First, Charlemagne and his men did not attempt to eliminate diversity. There were occasional areas where the court sought unity, but these were confined to major issues and were limited in extent. What the court sought instead was political centralization, and a reshaping of the political culture so that all political life revolved around the king. Diversity was built on where possible, tools of rulership were adapted to different regional circumstances, and what held the empire together was a loose framework of guiding concepts and a pervasive royal power that overlaid the differences. Second, the challenge of managing the vast territories conquered was a constant spur to creative rulership. The kind of

⁶ For the literature on ethnogenesis, see references on p. 169.

⁷ Some of these markers of ethnic difference may have become more pronounced as Charlemagne's conquests brought more and more people together. See Pohl, "Telling the Difference: Signs of Ethnic Identity," pp. 63–4.

⁸ See discussion in [Chapter 7](#), pp. 347–64. ⁹ See, for example, pp. 294, 303, 334–5.

innovation, constant change, and flexibility we have observed throughout this study was often prompted by the need to try to respond to the challenges created by the consolidation of many lands into one empire. Things in the localities often went on as usual, but by taking place within a different political superstructure, these same local traditions played out differently. By respecting local particularity and yet still insisting on an overall royal dominance, the king and court managed to maintain tradition, while also slowly transforming how politics was practiced in Charlemagne's territories. Diversity thus was central to Charlemagne's empire, not as an interruption to unity, but as a tool to be used in ruling and a spur to creative attempts to do so. Insisting on the imperial character of Charlemagne's empire allows us to underscore both the diversity that marked it, and the nature of the political unity that reinforced rather than undermined regional particularity.

The focus of political life on Aachen and on Charlemagne himself provided a unity to the empire. Yet this unity was never predicated on an ideology of a single, Christian empire, as it would come to be during the reign of Louis the Pious. There are hints of Louis' ideology visible during the reign of Charlemagne, but they remain muted and not fully developed.¹⁰ Charlemagne's empire was thus an empire of regions, but not only an empire of regions. Reducing the empire to its component parts ignores the overarching structures that did exist and the deep political ties that held the whole together. It also occludes the general response of the court to diversity, which was to build on regional difference and import good ideas from wherever one could find them. Only by looking at the empire as a whole can we see how a way of holding councils developed in Bavaria was spread throughout the Frankish North. Only by looking at the empire as a whole can we see how the challenge of taking over Italy set the king on a path of innovation that would find echoes throughout the rest of his reign. Only by looking at the empire as a whole can we appreciate how much Charlemagne nuanced his power to regional difference while still insisting on his own authority. Appreciating Charlemagne's political world thus requires attention to the imperial, mixed character of his rule. The structures of rule Charlemagne worked through meant that power played out differently everywhere, and that political ties necessarily worked in multiple, overlapping, and sometimes contradictory ways. The one constant was Charlemagne. This made for a

¹⁰ This is true, for example, of the idea of the Franks as a chosen people. See the sensitive study by Mary Garrison, "The Franks as the New Israel?"

dynamic, responsive, and flexible empire, for what I have called an empire of practice. It also made for an empire that could not survive, in its then current form, without Charlemagne. As the final component of this study, we turn now to the building of this empire of practice, to change over time, and the planning, or lack thereof, which lay behind Charlemagne's techniques of rulership.

Part III

An empire of practice

Part III introduction: continuity, change, and the building of an empire

When Charlemagne came to power in 768, he was following in his father's footsteps, and, typically for a Frankish king, sharing power with his brother. Throughout his reign, documents produced at the court of Charlemagne insisted on his carrying out of Frankish tradition.¹ Many elements of his rulership – from his military prowess, to the issuing of capitularies, to the ties to the papacy – have multiple Frankish precedents. Whatever else he became, Charlemagne always remained king of the Franks, an office and title of long-standing when he assumed it.² The role of tradition in shaping Charlemagne's rulership is thus clear, but it has also been overstated.

Part of the problem stems from the difficulty of situating Charlemagne within the trajectory of Carolingian, and indeed medieval, history more broadly. An older narrative saw Charlemagne as the pinnacle of Carolingian political achievement, a figure who set the stage for subsequent developments. The kings after him were less effective rulers who squandered the empire he had built. Out of the ruins of the empire, however, emerged the seeds that would lead to the later nation states of Europe. This vision is obviously no longer sustainable.³ But as historians have escaped from old-fashioned teleologies and rehabilitated later Carolingians, Charlemagne's place in the dynasty has been obscured. In order to counteract the previous argument of rupture, more stress has been placed on continuity. Charlemagne's reign is not

¹ See, for instance, the discussion of the celebration (and creation) of tradition in Carolingian historical sources in McKitterick, *History and Memory*, especially chapters 4–6.

² For instance, Charlemagne is called both emperor and *rex Francorum* by his court scribes in the last surviving charter from his reign, issued in 813 (DK 218), and which survives in the original.

³ The critiques go back to 1949 and the publication of Fichtenau's *Das karolingische Imperium*. See further discussion in the [Introduction](#), pp. 9–10, 14–15 for the development of the field.

a break with later Carolingians, in this new perspective, but part of a continuum of Frankish rulership.

Similarly, recent research on the Merovingians and early Carolingians has sought to rehabilitate the last Merovingian kings and place them in the context of early medieval rulership, highlighting their similarities to the early Carolingians.⁴ This is especially necessary given the frequent slander of the Merovingians in Carolingian sources. The Carolingians did not take over because the Merovingians were incompetent, but because they fought for, and won, control, but only after disputing over it with various other parties and possible claimants. Charlemagne's political power may have been exercised on a rather larger scale, but it was not fundamentally different in nature from that of previous Frankish rulers, according to scholars of the transition from one Frankish dynasty to another.⁵

These recalibrations of the balance between change and continuity were necessary correctives. But they have now gone too far, in that the scholarship tends to emphasize ways in which Charlemagne was like other Frankish rulers at the expense of the ways in which he was different. However, claiming that Charlemagne ruled differently from other Carolingians and other Frankish kings need not imply any kind of value judgment about those other rulers; variation is not necessarily either good or bad. And in many respects, how Charlemagne ruled was indeed different. Our previous examination of delegation and balancing central power and regional diversity has tended to emphasize just these political innovations. The assertion that Charlemagne's rulership was new, that it constituted a break with Frankish tradition, necessarily raises some further questions about intentionality and the pace of change. Did Charlemagne and his men have a plan for how they were going to rule? Did the innovations emerge solely out of responsiveness to circumstance, or were there deeper continuities in Charlemagne's rulership? Was there a "grand strategy" during the reign of Charlemagne?⁶ This part of the book, then, is an analysis of change: Of when the practice of empire described above emerged, and of how it developed during the reign.

⁴ This is part of a larger breaking-down of a traditional Carolingian periodization, much of which goes back to the criticism of how historians characterize the period offered in Sullivan, "The Carolingian Age." For a more recent assessment of the state of the field, and in broader geographical terms, see Nelson, "England and the Continent in the Ninth Century: I."

⁵ See Chapter 3, p. 129, Note 6 for some of the key works on this point.

⁶ I echo here the language of Edward Luttwak, although his work focuses on military strategy: Luttwak, *The Grand Strategy of the Roman Empire*; *The Grand Strategy of the Byzantine Empire*. More useful are the reflections on political strategy in Parker, *The Grand Strategy of Philip II*.

The first Chapter in this section addresses the chronology of the reign, challenging the focus on the imperial coronation as the key pivot during the reign, and demonstrating continued political strength during the last years. I argue that, from the point around 790 when we can begin to see governance clearly, the basic strategies of Charlemagne's empire of practice were in place and they remained so until the very last years of the reign. However, this argument for continuity in political practice does not mean that there was not also change. [Chapter 8](#) takes up the question of change over time, considering how quickly Charlemagne's approach to rule emerged, what consistent goals defined his rulership, and how moments of contingency reshaped the reign. The chapter ends with a new interpretation of change over time during the reign, contending that the rhythms of political change themselves helped shape the nature of the empire, that the inevitable interruptions and reversals were not solely obstacles to be overcome, though they were that, but also became structuring features of political life. These case studies of continuity and contingency will allow us to offer an answer to the question of planning and strategy in the reign of Charlemagne. Rather than having a clear plan or policy pursued throughout the reign, Charlemagne and his men had persistent concerns and demonstrated patterns of political action that shaped the nature of political life from 768 to 814. Beyond these guiding ideas and tendencies of political response, the reign was shaped by creativity, by a willingness to adapt and improvise, by *ad hoc* responses to events, and by the ability to seize chances when presented with them. These techniques of rule do not constitute a grand strategy, but they do constitute an innovative, coherent, and, as I have argued in Part I, strategic approach to rulership. This ambitious, but adaptable, approach to rule resulted in an empire that could persist, at least during Charlemagne's lifetime. What assured this persistence was the realm's character as an empire of practice, an empire structured by pragmatism, response to events, and shaped more by the process of trying to rule than by any ideology of what empire meant. The story of change over time during Charlemagne's reign is a story of breaking from tradition, of consistency in pursuing main goals, but most of all of the ability to adapt, and to turn constant change itself into a tool of rulership.

7 The chronology of the reign

Within a few years of Charlemagne's death in 814, it was obvious that a reference to "Charles the Great" in a medieval source, unless the context made it abundantly clear otherwise, meant our King Charles.¹ But when did Charles become Charles the Great? The question is not about epithets; his contemporaries called him all kinds of things but did so quite erratically, as we will see further. However, a question we do have to answer is, when did the kind of rulership which earned him such fame actually come about. When did the kind of practice of empire we have been examining arise? The goal of this chapter is to tell the story of Charlemagne's rulership, which we have analyzed thus far largely thematically, with more attention to chronology. In order to do this, I begin with Ganshof's arguments about periodization, as his model has been challenged in its details, but remains the most common and fully conceptualized vision of the chronology of the reign. Ganshof's understanding of change over time emphasizes various aspects of rulership cohering in the years around the imperial coronation, only to soon fall apart in a morass of unrealized ambitions and abandoned plans. The rest of the chapter will provide a different vision of Charlemagne's rule, one which downplays the imperial coronation and argues for sustained effective rulership into the last years of the reign. The vision of change sketched here offers us an understanding of a king whose basic techniques of rule emerged early in the reign and continued to define him throughout. Let us begin to rethink change by examining Ganshof's prized moment, the imperial coronation of December 25, 800, when Pope Leo III crowned Charlemagne emperor, giving him a new title, shouted in acclamation by the Roman populace.

Ganshof's periodization of the reign

In Rome at the very end of 800, Charlemagne became an emperor, heir to centuries of Roman traditions. Yet, despite his assumption of the

¹ See [Note 2 in the Introduction](#) for the early years of the Charlemagne legend.

imperial office in 800, Charlemagne continued to use the title *rex Francorum* throughout his life.² Unlike his son Louis the Pious who more consistently styled himself emperor,³ Charlemagne remained both *rex* and *imperator*. Moreover, the precise titles used to refer to Charlemagne were not consistent, and neither the requirements of particular genres nor change over time can fully account for the variations.⁴ The one exception, the one title used persistently throughout the reign, is *rex Francorum*. This is not a just a matter of language, but raises some essential questions about how Charlemagne and his court understood his rule and about developments over time during the reign. The traditional periodization, and still the key starting point, is the analysis of F.-L. Ganshof.⁵ Ganshof argued, drawing primarily on the capitularies, that the coronation set off a period of reflection and rethinking of the duties of rule.⁶ In Ganshof's vision, Charlemagne went home to Aachen after his coronation to spend much of the next two years considering his rulership and issuing the capitularies that contain some of our most significant evidence about governance.⁷ The fact that so many capitularies do date from after 800 supports this view.⁸ So too does the issuance of the *Capitulare missorum generale* in 802.⁹ This text, which Ganshof calls the "Programmatic Capitulary," is the fullest statement that we have of what Charlemagne thought his rule meant.¹⁰ Ganshof felt that the initial

² In a charter issued as late as 813, the king calls himself both king and emperor: DK 218.

³ Wolfram, "Lateinische Herrschertitel," in *Intitulatio II*, ed. Wolfram, for full discussion.

⁴ Charlemagne used many different titles in different settings and for different audiences. There is an excellent discussion of this point in Patzold, "Die Kaiseridee."

⁵ Ganshof's ideas are best appreciated in his individual articles; the key ones are now available in his *The Carolingians and the Frankish Monarchy*, and in particular: "Charlemagne's Programme of Imperial Government"; "The Imperial Coronation of Charlemagne"; "The Last Period of Charlemagne's Reign"; and "Charlemagne's Failure."

⁶ Ganshof, "Charlemagne's Programme of Imperial Government," p. 56: "There seems to me little doubt that Charlemagne spent the last months of 801 and the early part of 802 coming to grips with the transformation in his power: or to put it more concretely, in trying to determine what new responsibilities had devolved on him and how best to discharge them." The emphasis on empire continues to appear in serious scholarship; for instance, Fried, *Karl der Grosse*, who uses the move toward the coronation to structure his recent biography.

⁷ Ganshof, "Charlemagne's Programme of Imperial Government," p. 56; Ganshof, "The Impact of Charlemagne," p. 49 (pp. 144–5 in the reprint).

⁸ Generally, see the survey of current capitulary dating in Mordek, *Bibliotheca*, pp. 1081–93; see also the comments of Nelson, "The Voice of Charlemagne," pp. 77–8. For a revised approach, deemphasizing the importance of 802, see McKitterick, *Charlemagne*, pp. 235–7 and discussion on pp. 350–7.

⁹ Ganshof, "Charlemagne's Programme of Imperial Government" for analysis and *Capit.* I, no. 33, pp. 91–9 for the text of the law.

¹⁰ Ganshof, "Charlemagne's Programme of Imperial Government," p. 56.

excitement of the coronation and its prompt to rethink rulership soon faded.¹¹ By 806, with the promulgation of the *Divisio regnorum* setting out the succession arrangements envisioned for Charlemagne's sons, the imperial title was left out of the equation.¹² Ganshof argues that the title had already become, if not irrelevant, at least less of a spur to action.¹³ The rest of Charlemagne's reign, in Ganshof's eyes, was a slow slide into "failure," a crumbling of his ambitious aims when faced with the realities of early medieval administrative weaknesses and intellectual disillusionment.¹⁴

We should recognize the compelling aspects about this account, but we should also call parts of it into question.¹⁵ It is undeniable that the capitularies, which were the primary governmental texts of the reign, are more common later in the reign.¹⁶ It is virtually impossible not to see the *Capitulare missorum generale* as a reflection of a rethinking of rulership, particularly with its emphasis on how the imperial title necessitated a new oath.¹⁷ And it is indeed unarguable that Charlemagne did not see fit to try to pass on his imperial title to any or several of his sons, at least until 813 when there was only one son left standing, one indeed that Charlemagne may have thought needed the extra support of an imperial title.¹⁸ As there had not been a Roman emperor in the West for so long, much less one crowned by the pope, it might well have been possible for Charlemagne to pass on his title, or even to have it shared.¹⁹ There was clearly some flexibility built into the lack of a contemporary imperial

¹¹ Ganshof, "The Last Period of Charlemagne's Reign," pp. 246–8.

¹² The text of the *Divisio* does speak of Charlemagne's imperial power (for instance, *Capit.* I, no. 45, introduction, c. 1, pp. 126–7, c. 20, p. 130), but there is no plan for passing on the imperial title; see also Ganshof, "The Last Period of Charlemagne's Reign," pp. 245–7.

¹³ Ganshof, "The Last Period of Charlemagne's Reign," pp. 246–7.

¹⁴ Ganshof, "The Last Period of Charlemagne's Reign," pp. 248–50; Ganshof, "Charlemagne's Failure," pp. 257–9.

¹⁵ See also Nelson, "The Voice of Charlemagne," p. 79.

¹⁶ There are some useful comments on this point in Nelson, "The Voice of Charlemagne," pp. 78–9.

¹⁷ *Capit.* I, no. 33, c. 2, p. 92; and discussion in M. Becher, *Eid und Herrschaft*, pp. 201–11.

¹⁸ On the coronation of Louis in 813, see the accounts in the Royal Frankish Annals s.a. 813, p. 138, and the Chronicle of Moissac s.a. 813, p. 310–11 (and p. 259 in SS II, re-edited in Kettmann, "*Subsidia Arianensia*," part 2, pp. 122–4 and in Kats and Claszén, "*Chronicon Moissiacense Maius*," part 2, pp. 145–6). Charlemagne's sense that Louis might need shoring up is suggested, for example, by the less frequent reference to Louis compared to his brothers in the Royal Frankish Annals and the *Annales Mettenses priores* (see further [Notes 65 and 70](#)).

¹⁹ On the lack of an obvious way to arrange the succession of the imperial title, see Schlesinger, "Kaisertum und Reichsteilung," p. 48 (p. 169 in *Zum Kaisertum Karls des Grossen*, ed. Wolf, and p. 229 in Schlesinger's collected essays).

tradition.²⁰ Nonetheless, the coronation, leading to a spurt of governmental action, followed by disillusionment and retrenchment as the new governmental policies failed, is a narrative of the reign that cannot be sustained by the evidence in all respects.²¹

Rex et imperator: rethinking chronology

We can reinterpret the imperial years by considering the components of Ganshof's argument in turn, namely, his views on the capitularies, on a supposed decline from 806, and on the failure to transmit the imperial title. Having reexamined these features of the later years of the reign, we can reassess what actually changed in 800–2 and offer a revised periodization of Charlemagne's governance. Perhaps the most compelling aspect of Ganshof's vision of the chronology of the reign is his argument that the capitularies produced in 802 reflect a clear program for rule, which was slowly squandered. Yet, the argument on the whole does not work; 802 is a significant year in terms of capitulary production, but it does not have the position within the entire tradition that Ganshof accorded to it. In order to appreciate the import of the capitulary evidence for the periodization of the reign, we need to set the capitularies into the context of other kinds of evidence, we need to consider the issue of capitulary content, we need to return to the question of what was going on in 802, and, on the basis of the foregoing, we need to rethink the distribution of the capitulary evidence. Let us begin by setting the capitularies into the context of other kinds of evidence.

The capitularies, as I argued in the Introduction, are perhaps the most evocative source for the student of Charlemagne's rulership. But we make a mistake if we treat them as the only source. Periodizing the reign as a whole on the basis of one kind of evidence (no matter how important), particularly given the vagaries of source survival, is not sustainable. And we must remember in this context that a periodization around 800–2 does not work for most of the sources produced by or in connection with Charlemagne's court. For instance, we have seen an upsurge in the composition of annalistic texts in the decade of the 790s, a period that similarly witnessed a dramatic increase in the writing of theological treatises, primarily in the wake of the Carolingian choice to respond to

²⁰ Evident if nothing else in the confusion over how to pass on the imperial title not only under Charlemagne, but for Louis the Pious as well; see also Ewig, "Zum christlichen Königsgedanken," p.70 (p. 68 in the reprint), on other kinds of confusion surrounding the imperial title.

²¹ And for another reinterpretation of Ganshof's idea of failure, see Airle, "Charlemagne and the Aristocracy," p. 101.

the heresies of Adoptionism and Iconoclasm.²² The timing of the records of church synods, also analyzed in this book, similarly reflects an increase in activity from 790.²³ In terms of the sources as a whole, 790 was a far more important pivot than 800. We gain a similar impression of the importance of 790, although from a different angle, when we consider the periodicity of the diplomas.²⁴ Once again, the real shift in the charters is around 790, which is the last year that the king ever gave five or more charters in a single year.²⁵ This makes the charters yet another factor indicating a shift in governance in 790, and interestingly relates to the giving of fewer charters in any given year, as opposed to the increase in sources we typically associate with 790. The years in which Charlemagne gave the most grants were, unsurprisingly, at the beginning of the reign, particularly 775,²⁶ in the wake of the conquest of Italy, which is the year in the reign in which the most charters were given.²⁷ On the whole, Charlemagne used charters carefully, but not in great number.²⁸ For most Carolingian sources, 790 is the great year of change.

We can now try to situate the capitularies and their distribution over time within this context. [Graph 7.1](#) compares the chronological distribution of capitularies and charters that can be securely dated to one particular year.²⁹ The table underscores first of all the point made

²² For a recent discussion, see Close, *Uniformiser la foi*.

²³ The details can be found in [Chapter 5](#), pp. 246–7, but the point is that there is only minimal evidence for conciliar activity in the Frankish world before the *Admonitio generalis*.

²⁴ [Graph 7.1](#) provides a basic sense of distribution, but I hope to address this issue at greater length elsewhere.

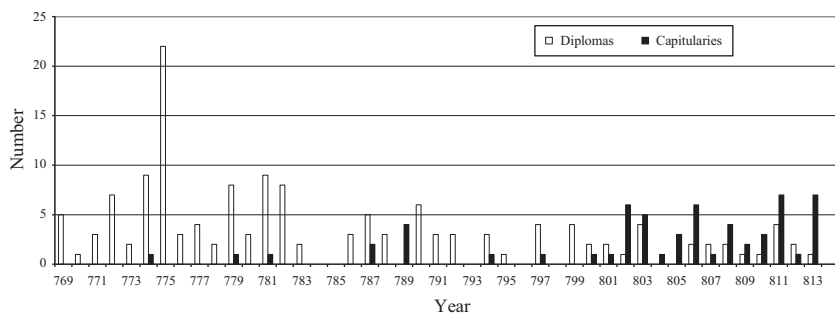
²⁵ The charters that can be precisely dated to 790 are DK nos. 163–8 (DK 166=ChLA 16, no. 631). Compare the discussion of timing here with McKitterick, *Charlemagne*, pp. 197–9, who argues on the whole for a more regular distribution throughout the reign.

²⁶ The grants given in 775 are DK nos. 89–110 (DK 89=ChLA 12, no. 553; DK 90=ChLA 12, no. 534; DK 92=ChLA 15, no. 615; DK 94=ChLA, nos. 616 and 617; DK 95=ChLA 19, no. 673; DK 101=ChLA 15, no. 618; DK 102=ChLA 16, no. 619; DK 103=ChLA 12, no. 535; DK 104=ChLA 12, no. 536; DK 107=ChLA 16, no. 620). DK 88 (ChLA 16, no. 621) may also have been issued in that year. On the giving of charters in 775, see the studies of Rosamond McKitterick: McKitterick, *Charlemagne*, pp. 189–95; McKitterick, “Court and Communication.”

²⁷ On the frequent use of charters at the beginning of reigns, see Koziol, *The Politics of Memory and Identity*, chapters 2 and 3.

²⁸ On the survival of Charlemagne’s charters in comparison to those of other rulers, see Bautier, “La chancellerie,” pp. 6–8 (pp. 462–4 in the reprint). Also useful is the discussion of Bougard, focused on Italy, but with broader relevance: Bougard, *La justice*, pp. 55–63 and Nelson and Hartmann’s comments on the limited giving of Charlemagne: Nelson, “The Settings of the Gift,” pp. 118–19; W. Hartmann, *Karl der Große*, p. 20.

²⁹ Individual charters and even more capitularies present problems of classification and especially dating. The graph thus incorporates many decisions about classification and



Graph 7.1 Chronological distribution of capitularies and diplomas

earlier in this section, namely, that the timing of the giving of capitularies did not set a standard for other sources. It also tells us something about when capitularies were given. It does show an increase from 790, in line with the other indicators of change we have observed around that year. However, the table also clearly demonstrates an increase in the capitularies in the years after 800, as Ganshof stressed. Why then should we not just accept Ganshof's argument that the capitularies were primarily a consequence of the elucidation of an imperial vision in 802?

A few comments on capitulary content will provide a better foundation to address the timing of capitularies. The earlier capitularies³⁰ may not be as numerous as the post-800 texts, but they are key pieces of evidence. This is because the policies, language, and ideas set out in these earlier texts do not show a radical break with the post-800 texts. For example, the highly moral tone of the 802 capitularies and later the 811 capitularies is first evident in the *Admonitio generalis* of 789.³¹ Some of the king's more practical interests are already expressed in the Capitulary of Herstal from 779.³² The key point to note here is that there is very little in the capitularies post-800 that is not in the capitularies pre-800; there is just more of it. Even the revised oath in response to the coronation can be

dating that I cannot fully explain here. Therefore, [Graph 7.1](#) must be understood as an effort to visualize the broad trends in the evidence, rather than as a definitive and unarguable representation of statistical data.

³⁰ To give just a few examples: *Capit.* I, no. 23, pp. 62–4; *Capit.* I, no. 25, pp. 66–7; and *Capit.* I, no. 28, pp. 73–8, and see also the comments in Ganshof, “The Impact of Charlemagne,” pp. 47–8 (pp. 143–4 in the reprint).

³¹ For instance: *Capit.* I, no. 22, introduction, pp. 53–4 (also ed. *AG*, introduction, pp. 180–4). For this point, and the next few sentences, see McKitterick, *Charlemagne*, pp. 234–63.

³² Such as *Capit.* I, no. 20, c. 21, p. 51, on comital justice.

seen at least partly as a continuation of the policy of having the oath resworn in order to prevent any excuse for disloyalty, a policy that had already been in place for years before 802.³³ Rosamond McKitterick, observing the importance of the early capitularies, has made a significant intervention in the literature. Her consideration of capitulary dating lessens the clumping around 800–3, and emphasizes the creation of important texts pre-800.³⁴ Perhaps the most important aspect of McKitterick's argument is her reinterpretation of Ganshof's idea of a programmatic capitulary. McKitterick demonstrates that the real programmatic capitularies, that is, the capitularies that set the stage for the rest of the reign, are the early texts that laid down the main lines followed in the more voluminous later legislation.³⁵ In terms of capitulary content, 802 certainly introduced some innovations, but not really more than other years; compare the sweeping reforms set off by the *Admonitio generalis* in 789, not to mention the other capitularies of that year. The ideas of the later capitularies reflect the existence of the empire,³⁶ but they are not really imperial ideas as such. The rethinking of the oath, for instance, was given occasion by the new imperial title, but the vision announced is one of what rulership means, not of what empire means, of what a man rightly owes his lord, not what empire consists of.³⁷ The coronation happened at roughly the same period as this increase in capitularies, but there is nothing in the content of the capitularies to suggest the increase was caused by the coronation. It is just as likely that the increase has more to do with the court staying at Aachen as with the new title Charlemagne did not always bother to use.

What actually happened in 802 was the conjunction of significant capitulary production with narrative sources that purport to tell us what that law giving meant. As Matthew Innes has noted, that is what really marks out 802: The combination of a contemporary annalistic account with the production of multiple and important capitularies.³⁸ Added into the stew is the tendency to link Einhard's tendentious comments on royal legal work, which he does tie to the coronation, to this same corpus of annals and capitularies of 802, and to treat the whole as a unit.³⁹

³³ On earlier use of the oath, see M. Becher, *Eid und Herrschaft*, pp. 78–85, 195–201.

³⁴ McKitterick, *Charlemagne*, pp. 235–7.

³⁵ McKitterick, *Charlemagne*, pp. 237–43.

³⁶ For example, *Capit.* I, no. 64, c. 9, p. 153: "De fugitivis qui per diversas provincias detenti et occultati contra praeceptum domni imperatoris sunt, ut qui eos post praeteritum tempus suscepit aut retinet bannum dominicum componat." For earlier interest in fugitives, see, for instance, *Capit.* I, no. 91, c. 9, p. 193.

³⁷ In particular, *Capit.* I, no. 33, chapters 2 and 3, p. 92.

³⁸ Innes, "Charlemagne, Justice and Written Law," especially pp. 157–62.

³⁹ Einhard, *Vita Karoli*, c. 29, p. 33, and discussion in Innes, "Charlemagne, Justice and Written Law," pp. 160–2.

For Ganshof, this evidence taken together meant that the 802 capitularies, particularly the *Capitulare missorum generale*, represented the expression of a new, imperial vision of rulership. Yet, as Matthew Innes has argued, the 802 legislation and associated narrative sources are parts of a long-standing discussion about right conduct at the Carolingian court.⁴⁰ Innes' characterization of the law and the related sources as a discourse about what right law meant helps us to situate 802 more firmly in the continuum of Charlemagne's reign and to underscore that what is so special about this year in particular is the unusual conjunction of different kinds of evidence. For Innes, the *Capitulare missorum generale* is not so much programmatic, but the realization of a program.

Innes' understanding is obviously departs from Ganshof's, but he too accords great weight to this legislation. A very different approach has been taken by Steffen Patzold. Patzold's work on the complexity and lack of any formal, official status of the one surviving capitulary manuscript of the *Capitulare missorum generale* underlines that we cannot take this single capitulary as a royal policy statement.⁴¹ Patzold may go too far in diminishing the status of the *Capitulare missorum generale* to a sort of piecemeal compilation of royal initiatives and concerns.⁴² However, like other capitularies, the *Capitulare missorum generale* is an expression of the preoccupations of the royal court at a particular moment, not an unchanging, constantly valid legal statute. In that sense, it was never programmatic. Yet, Innes and McKitterick are correct that the concerns of the text do not appear *ex novo* after the coronation, but are the result of long developments over the course of the reign. The specific circumstances of the compilation of the *Capitulare missorum generale* and the technical details of its preservation require further analysis, which I will give it elsewhere. For our current purposes, we need to make a few main points. First, the ideas of 802 did not come out of nowhere; they emerged from an extended process of consideration of rule at the court. Second, what makes 802 so remarkable is not so much the actual capitulary legislation, but the combination of capitulary legislation and a contemporary annalistic account. Third, Einhard's account is important, but it needs to be read carefully. The *Vita Karoli* was not arranged chronologically, and Einhard's message about law and empire needs unpacking in the context of its composition during the

⁴⁰ Innes, "Charlemagne, Justice and Written Law." ⁴¹ Patzold, "Normen im Buch."

⁴² Patzold, "Normen im Buch," especially pp. 341–5. Part of the problem is the many grammatical errors in the text, some of which can be fixed by reference to later transmission of the capitulary in canon law collections. On which, see Mordek, "Quod si se non emendent, excommunicentur."

reign of Louis the Pious.⁴³ The year 802 was remarkable, but not wholly because of the capitularies produced then.

If a substantial minority of the capitularies and a substantial majority of their main ideas do not date from post-800 and the *Capitulare missorum generale* is not interpreted as a blueprint for the rest of the reign, the argument for extensive changes surrounding the year 800 is weakened. There is still one argument to be made for seeing the year 802 as a pivot, and that is the changes in the missatical system and the constant and consistent reliance on the *missi* as key figures in Carolingian governance.⁴⁴ However, as Jürgen Hannig has reminded us, these changes can be overstated.⁴⁵ We know from narrative sources that the court in 802 expressed an interest in using more elite aristocrats as *missi* in order to limit bribery and other forms of persuasion being exercised on royal officials.⁴⁶ But it is also true that lesser courtiers continued to function as *ad hoc missi*, and furthermore great aristocrats had served the king previously.⁴⁷ Perhaps more importantly, we are nowhere near having a full sense of all *missi* who operated in the Carolingian kingdom and their respective status.⁴⁸ The groundswell of investigations into local power relations might help remedy some of these deficiencies in information. But for the time being it is difficult to give any overall sense of how many *missi* were of what status.⁴⁹ The intensification of missatical oversight and surging interest in these agents generally are both clear, however.⁵⁰ Dating the dependence on *missi* is difficult because of the dating of the capitularies, which increase generally after 800. Does that mean *missi* were used more intensively after 800 or simply that we have more information about them? We must be clear that we cannot tie the *missi* too tightly to the capitularies. The capitularies give us the most extensive,

⁴³ I will return to this point in *Per capitularios nostros*.

⁴⁴ On the system of the *missi*, see Ganshof, *Frankish Institutions*, pp. 23–6.

⁴⁵ Hannig, “*Pauperiores vassi de infra palatio?*”

⁴⁶ Annals of Lorsch s.a. 802, in SS I, pp. 38–9, and *Codex Vindobonensis* 515, ed. Unterkircher, pp. 39–40, cited on p. 203.

⁴⁷ To give just one example, consider the career of Eric of Friuli; on whom see Krahwinkler, *Friaul im Frühmittelalter*, pp. 152–8; Ross, “Two Neglected Paladins of Charlemagne.” Hannig in particular emphasizes continuity in the use of *missi* before and after 802, however I put more stress than he does on lower status agents.

⁴⁸ The key study of the *missi* and their competencies is: Eckhardt, “Die Capitularia missorum specialia”; as good as this study is, we do not currently have a full analysis of all *missi* we can trace in the sources. The most complete list is Krause, “Geschichte des Instituts der *missi dominici*,” pp. 258–64 for regular *missi* and pp. 282–6 for special *missi*. See further Chapter 2, Note 166.

⁴⁹ And indeed one could argue that the king generally depended on men from a variety of backgrounds for royal service; see further some relevant comments in Bullough, “*Baiuli*,” p. 636.

⁵⁰ Ganshof, *Frankish Institutions*, pp. 25–6.

though not the only, information we have about the *missi*. But we cannot mistake the capitularies for a legal compendium about *missi*. There is no announcement of new missatical policies in the capitularies, there is no legislative enactment of the supposed general *missi*, nor is there a full guide to what they are meant to do. In fact, the *missi* show up regularly in Charlemagne's capitularies from the earliest years of royal legislation, raising the possibility, worthy of further investigation, that innovations in their use go back to the 780s,⁵¹ and are simply reflected later in the more copious capitulary legislation in which their behavior is regulated. Thus, we have two changes, in capitulary production and in reliance on the *missi*. They need to be distinguished. The increase in capitulary production simply allows us to see the *missi* more clearly, though their intensive use is likely older, and indeed may go back to the earliest years of the reign.⁵²

We have thus far placed the capitularies in the wider context of other sources on governance; noted that their content does not change in 800, just their number; explored the significance of 802 as a year marked by the combination of capitularies and narrative sources; and decoupled the capitularies from changes in the use of *missi*. The end result of this analysis of the sources of the reign is that what we are seeking to explain in the years after 800 is not a radical break in the capitularies and their use, but an intensification thereof. Moreover, this intensification was not a function solely of the year 802. First of all, Ganshof's emphasis on 802 ignores the other years in the 800s when the court also produced a large number of capitularies, especially 811 and 813, from which years multiple capitularies likely date.⁵³ Note that capitulary production in these years is more than, or equivalent to, the production we can safely

⁵¹ I build here on Tom Noble's unduly neglected work on the importance of the 780s; the point requires further attention. See Noble, "From Brigandage to Justice," and McKitterick, *Charlemagne*, p. 258.

⁵² For one possible hint, see *Capit.* I, no. 20, c. 21, p. 51.

⁵³ The 811 capitularies are: *Capit.* I, no. 71, pp. 161–2; *Capit.* I, no. 72, pp. 162–4; *Capit.* I, no. 73, pp. 164–5; *Capit.* I, no. 74, pp. 166–7; *Capit.* I, no. 80, pp. 176–7; *Capitulae missorum de villis inquirendis*, ed. Mordek, *Bibliotheca*, p. 979; *Capit.* I, no. 128, pp. 250–6 (also ed. *CdV*, pp. 49–55). There are also six capitularies from 806: *Capit.* I, no. 45, pp. 126–30; *Capit.* I, no. 46, pp. 131–2; Charlemagne's letter of command to Fulrad, *Capit.* I, no. 75, p. 168; *Capit.* I, no. 35, pp. 102–4; *Capit.* I, no. 47, pp. 133–4; *Capit.* I, no. 49, pp. 135–6. *Capit.* I, no. 85, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–102), is also likely from 806. While not a royal capitulary, it is certainly legislative activity prompted by the court. For the 813 capitularies, see list in Note 144 and discussion there. See Mordek, *Bibliotheca*, for dating, here and in the following Notes, supplemented by CEP, the work of Ganshof, and my own observations." It has been questioned if *Capit.* I, no. 47 is a capitulary (Schmitz in his introduction to Ansegisus, *Die Kapitulariensammlung*, pp. 30–2), but I include it here for reasons I will explain in my book on the capitularies. One might also choose to exclude the letter of command, but the basic point about numbers of texts remains.

associate with 802.⁵⁴ Of course, 802 and 803 together raises the number of capitularies,⁵⁵ but, as [Graph 7.1](#) shows, 811–13 constitute a particularly active cluster of law giving. The timing suggests an intensification from 802 that is sustained for the rest of the reign, not a focus on 802 *per se*. The overall timing of the promulgation of capitularies does, however, vary. It has been suggested that the capitularies, or at least the religious legislation, clumps in three phases, namely, 789, 801–3, and 811–13.⁵⁶ This periodization of capitularies is now hard to sustain, particularly because the clumping does not work as well for the nonreligious capitularies. And indeed attempting to distinguish between secular and religious legislation in the early Middle Ages is rarely useful. There are years in which there are more capitularies than others, but it was a regular tool of rulership throughout the reign, or at least its second half.⁵⁷ Thus, 800 or 802 cannot be seen as a major break in patterns of rulership.⁵⁸ Most of the other evidence for change emphasizes not 800, but 790. The pattern, then, is of a shift toward active governance in 790. Certain aspects of that governance predominate at certain periods, such as theological writing in the 790s or capitulary legislation in the 800s. But the overall pattern shows the most change around 790, when how Charlemagne went about ruling underwent the most extensive development. In sum, where Ganshof saw a striking innovation in capitularies in 802 that reflected a new vision of rule, we can perceive instead an increase in the pace of giving capitularies with much the same content as earlier, a pace that would be sustained for the rest of the reign. The year 802 saw an intensified use of a particularly important type of document, not a full-scale reinvention of rulership.

⁵⁴ The capitularies relatively securely dated to 802 are: *Capit. I*, no. 33, pp. 91–9; *Capit. I*, no. 34, pp. 100–2; *Capit. I*, no. 37, pp. 108–9; *Capit. I*, no. 38, pp. 109–11; *Capit. I*, no. 121, pp. 239–40 (to the extent one wishes to treat this as a capitulary); *Capit. I*, no. 59, p. 146.

⁵⁵ Capitularies from 802–3: *Capit. I*, no. 77, pp. 170–2; *Capitulum de sacrilegis*, ed. Mordek, *Bibliotheca*, p. 977. Capitularies likely from 803: *Capit. I*, no. 39, pp. 113–14; *Capit. I*, no. 40, pp. 115–16; *Capit. I*, no. 41, pp. 117–18; *Capit. I*, no. 68, pp. 157–8; *Capit. I*, no. 69, pp. 158–9. Note the last two are debatable, as is Mordek's *Capitulum de sacrilegis*. Also potentially relevant are Charlemagne's letter of command to Ghaerbald: *Capit. I*, no. 122, pp. 241–2 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 112–14); and the following capitularies which might date to this period: *Capitula de baptismo* (?), ed. Mordek, *Bibliotheca*, p. 978, 802–5?; *Capit. I*, no. 42, pp. 119–20, 803–4; *Capit. I*, no. 119, pp. 236–7, 803–5?, although the status of this text is unclear.

⁵⁶ McKitterick, *The Frankish Church*, p. 10; also de Clercq, *La législation religieuse*, pp. 171–83, 194–202, and 229–49 on major legislative efforts in 789, 802, and 813.

⁵⁷ McKitterick, *Charlemagne*, pp. 234–7, for important observations on the timing of capitularies.

⁵⁸ McKitterick, *Charlemagne*, pp. 256–63.

Our reconsideration of the chronology of the reign also needs to take account of Ganshof's picture of a slow decline from 806 on. In fact, at least until 811, the documents suggest a busy and active court, one that was engaging in legal, religious, judicial, and theological projects at full speed.⁵⁹ There was even a final burst of royal activity in 813, some of it admittedly devoted to preparing for Charlemagne's death, but a spurt of activity nonetheless.⁶⁰ The Franks undertook somewhat less military action than earlier in the reign, although the most distinct change later in the reign is that Charlemagne personally spent much less time on campaign.⁶¹ But the real shift in the pace of military activity occurred around 790, and given the king's increased age in the years after 806, and illness toward the very end of his life, his preference to remain at Aachen is more likely to reflect a desire for the comforts of home than an abdication of royal responsibility.⁶² It is also not coincidental that by this point in the reign, Charlemagne's rule had been unchallenged for a decade; thus leaving the remaining opportunities for military glory to others need not have had any effect on royal prestige. The last major threat to Charlemagne that we can see in the sources is the revolt of Pippin the Hunchback in 792.⁶³ There were of course some military defeats, such as struggles with the Danes, but if we do not read the later Viking threats into such events, there is no evidence for much of an attack on royal authority in approximately the last twenty years of the reign (as we will see further). This left the king with ample time to experiment on the basis of solid authority. We will return to the events

⁵⁹ On activity in 811, see in particular the study in Nelson, "The Voice of Charlemagne," and note as well there are other capitularies and activities that year she does not mention; for which see the account in the Royal Frankish Annals s.a. 811, pp. 133–5.

⁶⁰ We should note here a series of major capitularies, the group of five reform councils undertaken on royal order (and discussed in greater detail in [Chapter 5](#), pp. 243–59), and the coronation of Louis the Pious as successor to his father, with the interesting analysis in Fried, "Elite und Ideologie," arguing for more possible options in 813 than scholars assume. I will offer a different interpretation of the 813 coronation in [Chapter 8](#) and will address the other events of 813 in this Chapter.

⁶¹ Admittedly, the military shift is more blatant after 800, when the Royal Frankish Annals, a source highly interested in military activity, explicitly present the king himself going on campaign only in 804 and 810 (pp. 118–19, 131). Of course, that does not mean Frankish armies were not active at other times. However, the lessening of royal military activity is first evident after 790 when Charlemagne spent the year without campaign.

⁶² For a different dating of these changes, see Innes, "Charlemagne's Government," p. 75. See also Nelson, "The Voice of Charlemagne," pp. 78–9, for a more positive assessment of Charlemagne's new-found preference to stay put. On the king's illness, see Einhard, *Vita Karoli*, c. 22, p. 27 and c. 30, p. 34.

⁶³ See [Chapter 3](#), pp. 149–52 on the revolt.

of the end of the reign, but for now we can simply note that the argument for lessened political activity after 806 is unsustainable.

Charlemagne's decision in 806 not to pass on his imperial title also may have had much more to do with family politics and his estimation of his sons and of the Franks than with a sense that the imperial experiment had failed.⁶⁴ We can see various factions around 806 advocating different succession arrangements.⁶⁵ This was a decision that was long discussed and prepared for within the Frankish aristocracy.⁶⁶ Yet, when the time came to announce the final arrangements, Charlemagne promulgated a formal document that made no mention of the consent of the Franks.⁶⁷ The succession was presented as his decision, despite the fact that any such arrangements were contingent on the support of the aristocracy after the king's death.⁶⁸ Moreover, the king's relations with

⁶⁴ It has also been argued that by 813 and the coronation of Louis the Pious there was a new, more Frankish vision of empire; see, for example, Beumann, "Nomen imperatoris," pp. 547–9 (pp. 213–15 in the Wolf edition and pp. 112–14 in Beumann's *Ideengeschichtliche Studien*). It is also possible that Charlemagne meant to pass on the title, but chose not to specify this in the *Divisio*, though this seems to me unlikely.

⁶⁵ There is some evidence in the sources for a party around Charles the Younger advocating for a more prominent role for him; see Goffart, "Paul the Deacon's"; and the emphasis given to Charles in the *Annales Mettenses priores* (compare references to Charles, s.a. 784, pp. 71–2, s.a. 789, p. 78, s.a. 794, p. 80, s.a. 799, p. 83, s.a. 804, p. 92, s.a. 805, pp. 93–5 to those to Pippin, s.a. 781, p. 68, s.a. 787, p. 75, s.a. 796, p. 81, s.a. 797, p. 82, s.a. 800, p. 85, s.a. 801, p. 87 and to Louis, s.a. 781, p. 68, s.a. 797, p. 82. For a more recent discussion, see Hammer, "Christmas Day 800." I would like to thank Carl Hammer for sending me his article prior to publication. Kaschke, *Die karolingischen Reichsteilungen*, especially pp. 217–19, 245–8, has argued for less emphasis on Charles the Younger in the *Annales Mettenses priores*.

⁶⁶ For a good overview of the issues involved in the succession decisions, see Classen, "Karl der Grosse und die Thronfolge." See further pp. 415–23 for Charlemagne's difficulties with his plans for the succession.

⁶⁷ The document setting out the succession, the *Divisio regnorum*, is addressed to the king's *fideles*, but does not request or make any reference to their consent; *Capit.* I, no. 45, introduction, p. 126: "Karolus serenissimus augustus, a Deo coronatus magnus pacificus imperator, Romanum gubernans imperium, qui et per misericordiam Dei rex Francorum et Langobardorum, omnibus fidelibus sanctae Dei ecclesiae ac nostris, praesentibus scilicet futuris." Other sources of course make clear that there was in fact much discussion of the plan, and the Franks both swore to it and Pope Leo approved it after it was issued (Royal Frankish Annals s.a. 806, p. 121). Nonetheless, the capitulary laying out the division neglects to mention the consent that did support the plan. See now the study in preparation for a new edition in: Tischler, "Die 'Divisio regnorum'." The most recent interpretation of the *Divisio* is that of Sören Kaschke. I would argue the *Divisio* is more of a departure from Frankish tradition than Kaschke, but his work carefully considers Frankish approaches to division with extensive reference to earlier literature. See Kaschke, *Die karolingischen Reichsteilungen*, especially pp. 298–323 on the *Divisio*, and briefer discussion in Kaschke, "Tradition and Adaption."

⁶⁸ *Capit.* I, no. 45, introduction, pp. 126–7: "Sicut omnibus vobis notum esse et neminem vestrum latere credimus, quomodo nos divina clementia, cuius nutu ad occasum

his family were at times unusual.⁶⁹ The sons, while they were marked out for power, stayed in the background for much of the reign.⁷⁰ Charlemagne's family helped him rule, but they were all overshadowed by Charlemagne himself.⁷¹ Given these family dynamics, the lack of inheritance of the imperial title may be more about dominating his family than his estimation of the title.⁷² Not passing on the imperial title too might have helped maintain more equality among the sons, a point buttressed by the experience of Louis the Pious, whose effort to set up a clear succession plan foundered in civil war with his sons. Charlemagne's choice not to pass on the title can thus be understood as a practical decision to encourage family harmony.⁷³ Finally, it must be emphasized that we are dealing here with a forceful personality, one

tendentia secula per successiones generationem reparantur, tres nobis dando filios magno miserationis ac benedictionis suae ditavit munere, quia per eos secundum vota nostra et spem nostram de regno confirmavit et curam oblivioni obnoxiae posteritatis leviorum fecit, ita et hoc vobis notum fieri volumus, quod eosdem per Dei gratiam filios nostros regni a Deo nobis concessi donec in corpore sumus consortes habere, et post nostrum ex hac mortalitate discessum a Deo conservati et servandi imperii vel regni nostri heredes relinquere, si ita divina maiestas adnuerit, optamus."

⁶⁹ Einhard, *Vita Karoli*, c. 19, pp. 23–5.

⁷⁰ This is clear, for example, in the basic narrative of the Carolingian court, the Royal Frankish Annals. In that text, the sons of the king appear as follows: Pippin (781, p. 56; 787, p. 78; 796, pp. 98–100; 797, p. 102; 800, p. 110; 801, p. 114; 805, p. 120; 806, p. 121; 807, p. 124; 809, p. 127; 810, pp. 130–2); Charles the Younger (784, pp. 66–8; 794, p. 94; 799, p. 106; 804, p. 119; 805, p. 120; 806, p. 121; 808, p. 125; 811, p. 135); Louis, future Louis the Pious (781, p. 56; 797, p. 102; 805, p. 120; 806, p. 121; 809, p. 127; 813, p. 138). Pippin is the only son associated with legislation, and most often the sons appear in a military capacity. There is not much scope for independent action allowed to the sons. On marking the sons out for power, see Goffart, "Paul the Deacon's," pp. 59–63, 87–93.

⁷¹ Evocatively on this point, see Wallace-Hadrill, *Early Germanic Kingship*, pp. 108–9. The key discussion now is Kasten, *Königssöhne*.

⁷² There are useful comments on Charlemagne's family management in Nelson, "Women at the Court of Charlemagne," pp. 58–60 (pp. 241–2 in the reprint); see also: Nelson, "Charlemagne the Man"; Nelson, "Charlemagne—pater optimus?"; Nelson, "La cour," pp. 186–7.

⁷³ As the *Divisio regnorum* itself tells us, *Capit.* I, no. 45, introduction, p. 127: "Non ut confuse atque inordinate vel sub totius regni denominatione iurgii vel litis controversiam eis relinquamus, sed trina portione totum regni corpus dividentes, quam quisque illorum tueri vel regere debeat porcionem describere et designare fecimus; eo videlicet modo, ut sua quisque portione contentus iuxta ordinationem nostram, et fines regni sui ad alienigenas extenduntur cum Dei adiutorio nitatur defendere, et pacem atque caritatem cum fratre custodire." I will argue that the *Divisio* treats the sons relatively equally, but some have seen a precedence for Charles the Younger in his inheritance of the Frankish heartlands; see, for instance, Nelson, "La cour," pp. 181–2, drawing here on the work of Classen, "Karl der Grosse und die Thronfolge," especially pp. 109–21 (pp. 205–16 in the reprint). This view is supported by the coronation of Charles in 800 (on which see Goffart, "Paul the Deacon's," p. 83). See further discussion in [Chapter 8](#), pp. 415–23, on Charlemagne's difficulties with arranging for his succession. For a basic narrative of Louis' succession efforts, see Kasten, *Königssöhne*, pp. 165–98.

whose ruthlessness marks itself on much of the reign. It may simply be that Charlemagne thought the title was his and did not feel like sharing it at that moment, when there were no other compelling reasons to do so.⁷⁴ The *Divisio* perhaps has more to tell us about family politics than about how best to run an empire.

The imperial title, with its attendant sanction and prestige, may have appealed to Charlemagne, but it did not define his power.⁷⁵ Not only did he remain king too, of both Francia and Italy, but it is hard to find substantive differences in his exercise of power related to 800.⁷⁶ We must certainly admit that there were changes in 800–2, most notably the increase in the pace of giving capitularies that would persist for the rest of the reign.⁷⁷ The question is: Did the coronation cause these changes? I would argue no. Rather than being the cause of the changes, the coronation is another example of the changes, of the intensification in the reach of governance, which began not in 800 but in 789. From the promulgation of the *Admonitio generalis* and then into the early 790s we can see already the main outlines of the king and his court's governmental interests and ideas.⁷⁸ This does not mean that things did not change in the last twenty-four years of the king's reign. But the contours of Charlemagne's governmental project are evident from the 790s.⁷⁹ The period of reflection after 800 was an echo of an

⁷⁴ An interpretation supported by the language of the *Divisio* itself, which does conceive of the realm as an empire, but one dominated by Charlemagne, not by him and his sons, who indeed, like the rest of the population, owed loyalty to the king: *Capit.* I, no. 45, c. 20, p. 130: "Haec autem omnia ita disposuimus atque ex ordine firmare decrevimus, ut quandiu divinae maiestati placuerit nos hanc corporalem agere vitam, potestas nostra sit super a Deo conservatum regnum atque imperium istud, sicut hactenus fuit in regimine atque ordinatione et omni dominatu regali atque imperiali, et ut obedientes habeamus praedictos dilectos filios nostros atque Deo amabilem populum nostrum cum omni subiectione quae patri a filiis et imperatori ac regi a suis populis exhibetur. Amen." Note too the echoes of the oath in the last lines here (oath texts appended to *Capit.* I, no. 34, pp. 101–2). See also Ganshof, "The Last Period of Charlemagne's Reign," pp. 245–6 on the personal nature of the imperial title.

⁷⁵ On the royal reform program see also G. Brown, "Introduction: The Carolingian Renaissance," p. 23.

⁷⁶ See also Fouracre, "Frankish Gaul to 814," p. 105; W. Hartmann, *Karl der Große*, p. 216.

⁷⁷ To give just one example, see the discussion of the 802 reforms in the *Annals of Lorsch* (Note 46). Ganshof's analysis of the 802 legislation remains fundamental, but see now too Buck, "Capitularia imperatoria"; Innes, "Charlemagne, Justice and Written Law." And see also the penetrating comments of Eugen Ewig on the shifts in thinking about rulership linked to the coronation; Ewig, "Zum christlichen Königsgedanken," pp. 65–70 (pp. 63–68 in the reprint).

⁷⁸ For a longer chronology, see Noble, "From Brigandage to Justice."

⁷⁹ For an analysis of how some aspects of the religious reform program are evident very early in the reign and then elaborated, see Mordek, "Aachen, Frankfurt, Reims."

earlier period of reflection in 790–2 during the absorption of Bavaria, when the court was faced with finding ways to manage the rapidly expanding empire.⁸⁰ This earlier period of reflection was followed too by important legal and political activity, and a great expression of royal confidence in 794, making that year a sort of parallel to the early 800s.⁸¹ There are other such moments of particularly intensive action in one sphere or another of political life. The coronation was carefully planned for in 799 and 800, and was then capitalized on in the years immediately following.⁸²

The implications of this argument about the coronation are worth underlining. Charlemagne's governmental project thus appears far longer, more ambitious, and more carefully prepared for than it does when it is seen as a response to the coronation. What I argue for here is, in essence, an inversion of Ganshof's view of a coronation followed by reflection; yes, there was a period of reflection after the coronation, but the coronation itself was a considered stimulus to what would follow. The coronation was another way of pursuing the king's governmental aims, rather than the cause of these aims. This is certainly not to say that the king did not make use of the peculiar circumstances in Rome in 799, but the basic ideas of empire and governance were circulating in royal circles long before a Roman faction attacked Pope Leo.⁸³

It must be noted that this view of the chronology of the reign suggests that 789–90 is the pivot. Is this because things really changed then or because the documents changed?⁸⁴ It is a serious question, but it seems to me that the documents changed because the rule did.⁸⁵ While one cannot argue from silence and we certainly have lost texts, the governmental activities of 789 on are evident in so many sources—reflected in the annals, in the capitularies, in letters and so on—that the lesser amount of information prior to 789 does seem to represent a real

⁸⁰ See Bullough, "*Aula Renovata*," pp. 295–7 (pp. 142–4 in the reprint). For other such pivotal moments, see Ganshof, "*Une crise*."

⁸¹ See pp. 363–4 on the confidence of the court expressed in 794.

⁸² See also Buck, "*Capitularia imperatoria*," pp. 12–13, 24–6.

⁸³ The idea was suggested to the court as early as the 770s; witness the vaguely imperial language used in the letter of Cathwulf, *Epistolae variorum*, no. 7, p. 502, lines 33–4. On which, see Story, "Cathwulf, Kingship"; Garrison, "Letters to a King"; Bullough, "*Aula Renovata*," p. 283 (p. 133 in the reprint). On the Roman context, see, for example, M. Becher, "Die Reise Papst Leos III."

⁸⁴ For fundamental discussion of a "mutation documentaire," see Barthélemy, *La société*, especially chapter 1; Barthélemy, *La mutation de l'an mil*, chapters 1 and 2.

⁸⁵ For a similar discussion of documentary change versus historical changes, see some of the Feudal Revolution debates; easily accessible in Thomas Bisson's article and the responses to it: Bisson, "The Feudal Revolution"; with responses of Barthélemy, Reuter, White, and Wickham, and reply of Bisson.

phenomenon.⁸⁶ Moreover, the documents produced by the court in these years, like the *Admonitio* or the *Opus Caroli*, are often strikingly original in both their form and their content. This is certainly not to say that there were not earlier permutations of the kind of governance pursued more systematically after 789 (some of which we will examine in [Chapter 8](#)), but the key point to begin with is that from around 790 the reign shifted from a largely military endeavor to a strongly governmental one.⁸⁷

Charlemagne's rule was shaped by the constant press of events, as we will see in detail in [Chapter 8](#).⁸⁸ The regular ups and downs to which the court reacted are often inaccessible to us; we tend to hear more of the major moments. Nonetheless, the daily realities of rule were continually played out against a background of particular events. Beyond this constant press of events and the major shift in sources evident in 789–90, there is little evidence for obvious periodizations within the reign. It is of course true that particular years were more eventful than others. For instance, 794 can be interpreted as a moment of transition, and an expression of great confidence, in the course of the reign. After the difficulties attendant on the conquest of Bavaria and the preparations for the Avar campaigns, which resulted in a year of relative “inactivity” by Charlemagne in 790, Charlemagne then faced the revolt of his son Pippin the Hunchback in 792 followed by a devastating famine in 793.⁸⁹ Yet, in 794 the court undertook an ambitious set of reforms at the Synod of Frankfurt, with an agenda ranging from heresy to coinage.⁹⁰ The multiple types of records that emerged from the Synod show an active and aggressive court surrounding Charlemagne.⁹¹ Paulinus of Aquileia's reference to Charlemagne in the *libellus sacrosyllabus*, a treatise on Adoptionism prepared on behalf of the Italian bishops for the Synod, as king and priest may be unique in contemporary Carolingian sources, but it is typical of the

⁸⁶ And this is not just a matter of the number and variety of texts, but of the nature of such texts. We must appreciate the force and, to use Bullough's word, the “novelty” of what was being produced by the Carolingian court from 789 on. See Bullough's penetrating comments on the *Admonitio generalis*: Bullough, “*Aula Renovata*,” p. 294 (pp. 141–2 in the reprint).

⁸⁷ See also some important observations on this point in Nelson, “The Siting of the Council,” pp. 153, 156.

⁸⁸ See, for instance, Ganshof's attempts to narrate the reign step-by-step, in his “Charlemagne.”

⁸⁹ Royal Frankish Annals s.a. 790–3, pp. 86–94 for the basic events. On the famine, see Verhulst, “Karolingische Agrarpolitik.”

⁹⁰ On heresy: *Capit.* I, no. 28, chapters 1 and 2, pp. 73–4; on coinage, c. 5, p. 74. For the agenda of the council generally, see the multiple perspectives in: Berndt (ed.), *Das Frankfurter Konzil*, and Fried, Koch, Saurma-Jeltsch, and Thiel (eds.), 794.

⁹¹ *Concilium Francofurtense*, in *Conc.* II, pp. 110–71; see p. 247 for the documents generated by this council.

atmosphere of confidence at the Synod in its optimistic assertion of Frankish success and power, an optimism reflected too in the *Opus Caroli*.⁹² By 794, the difficult campaigns against the Avars were not fully over, but the conquests generally had already begun to bear fruit not just in the accumulation of new territory, but in the accumulation of booty. Charting the course of Charlemagne's reign necessitates taking account of these moments of change, when we are able to see them, but also in appreciating the longer term continuities in the reign. With the exception of the major shift in the nature of our sources around the years 789–90, there are no major revolutions in the nature of the reign. The imperial coronation did not remake how Charlemagne ruled.

In sum, it does matter that Charlemagne became emperor, but it matters too and indeed more that he remained king. The ideas and actions of rule he pursued from 789 on, with some earlier moves in this direction, are the key interpretative issues for a study of royal governance. Donald Bullough's formulation of the ultimate goal of Charlemagne's rulership is helpful here: "If the *Lex Dei* of which the king was the agent and would answer for at the judgement seat was to be accepted and effective, it required not only new men and new measures but a deeper understanding both of its own imperatives and of the nature of royal authority."⁹³ It is the full inauguration of this royal vision, if we can use so modern a word, which I date to the years around 790. Becoming emperor was thus one tool among many in his long process of governmental action, and, as we have seen, the king liked to have more than one way of exploring his goals open to him at any time. However, the key transition, the key moment when the shape of the reign becomes clear, is 789–90. Indeed, Ganshof's portrait of the king stopping to think about being a ruler and what this meant might be best read back to the years around 790.

Governance at the end of the reign: Charlemagne in 813

Despite the importance of Charlemagne's coronation in shaping the later development of medieval Europe, at the time it had little impact on

⁹² *Libellus sacrosyllabus episcoporum Italiae*, in *Conc.* II, p. 142. See the discussion of the phrase generally in Angenendt, "*Rex et sacerdos*" and Angenendt, "Karl der Grosse als '*Rex et Sacerdos*,'" and on Paulinus in particular Anton, *Fürstenspiegel*, pp. 110–11. There are a number of other sources which express ideas close to this concept of combining the offices of king and priest, but Paulinus is the only one to use the phrase explicitly. See also Bullough, *Alcuin*, p. 457, note 78; further discussion in Kampers, "*Rex et sacerdos*," examining in particular a letter of Alcuin which employs similar metaphors; and Chapter 4, Notes 153 and 154. For the *Opus Caroli*, see references on p. 26.

⁹³ Bullough, "*Aula Renovata*," p. 286 (p. 135 in the reprint).

Charlemagne's rulership. Empire, for Charlemagne and his men, was a way of ruling, a combination of strategies to delegate power and to work with diversity, not an ideological program. The failure to pass on the imperial title itself does not help us assess the course of the reign. The coronation was a dramatic moment to be sure, but it was just a marker of Charlemagne's prestige, not the signal of a new approach to rulership. Yet, if Charlemagne ruled in relatively consistent ways from 790 on, is it still true that these methods of exercising power did indeed persist throughout the entirety of the reign? Ganshof argued not just that the coronation was the high point of the reign, but that the later years were a period of decline, verging on political collapse. In a pair of articles first published in 1947 and 1948, Ganshof sketched a model of Charlemagne's "failure" and the "decomposition" of his reign.⁹⁴ According to Ganshof, the profound optimism of the imperial coronation, and the corresponding rethinking of rulership in 801–3, was squandered in the years after 805.⁹⁵ The great imperial dream foundered in the disillusionment of unrealized ambitions and intellectual limitations. Charlemagne had neither the vision nor the ability to realize the hints of promise Ganshof saw in the documents from 802 and 803. Instead, his reign ended in failure: With an incomplete governmental apparatus, an abandonment of the potential of the imperial title, and the drowning of institutional organization in a swamp of personal connections. Ganshof's own word for this unrealized potential was *échec*, which can mean setback, as well as having the stronger sense of failure. Yet, the translator's term has stuck, and I think can provide a useful framing prism for an evaluation of the end of the reign. I have suggested earlier that the later years of the reign were indeed active ones. I will pursue that argument here by looking at the final full year of Charlemagne's reign, 813. What were Charlemagne and his men doing in 813 and how do these activities fit into the broader trajectory of the reign?

We must take seriously the possibility that Charlemagne lost control of his realm in the last years of his life.⁹⁶ First of all, the realm he ruled was large, diverse, and complex.⁹⁷ Maintaining control over such a combination of kingdoms and regions was difficult in the best of

⁹⁴ Ganshof, "The Last Period of Charlemagne's Reign: A Study in Decomposition," originally published as: "La fin du règne de Charlemagne: Une décomposition"; "Charlemagne's Failure," originally published as "L'échec de Charlemagne."

⁹⁵ Ganshof, "The Last Period of Charlemagne's Reign," pp. 248–50; Ganshof, "Charlemagne's Failure," pp. 257–9.

⁹⁶ See also the presentation of the problem in Ganshof, "Charlemagne," p. 525–6 (p. 23 in the reprint).

⁹⁷ K.F. Werner, "Missus-marchio-comes," pp. 191–2 (pp. 108–9 in the reprint).

times.⁹⁸ And we have also seen how much the conduct of royal governance depended on personal links and on the key role of the king himself.⁹⁹ We do know that during the king's last few years he was ill for the first time.¹⁰⁰ Two of his sons meant to succeed him died, raising anew questions about what was to be done after the emperor's death.¹⁰¹ He too was thinking about these matters, as evidenced by the composition of his will.¹⁰² Einhard's testimony about portents of the king's death may be hindsight or literary construction, but with the king reaching his late sixties and two sons dead, the succession was obviously an issue.¹⁰³ Jinty Nelson's insistence on seeing Charlemagne's reign in terms of a human lifespan also encourages us to be aware of the king's advancing age.¹⁰⁴ Charlemagne may have lived a remarkably long time, but even he would not live forever.¹⁰⁵ Theoretically, this awareness of the king's death would change things, or at least start aristocrats on a path of trying to secure their status under the regime to come.¹⁰⁶ For those who had known nothing other than living under the control of Charlemagne, the king's increasing weakness could easily have evoked uncertainty. But what can we see practically in the sources? That is, what signs can we perceive of diminished royal control toward the end of Charlemagne's reign? Let us look first at the factors scholars have suggested imply royal lack of control, before turning to analysis of what the court actually did in 813.

One frequent suspect held up to indicate a weakening of royal control toward the end of the reign is military affairs and in particular relations with the Danes.¹⁰⁷ It is true that the Franks did not always come out well

⁹⁸ See also Nelson, "Charlemagne and Empire."

⁹⁹ See, for instance, the discussion of office and personal ties in [Chapter 2](#), p. 125.

¹⁰⁰ Einhard, *Vita Karoli*, c. 22, p. 27: "Valitudine prospera, praeter quod, antequam decederet, per quatuor annos crebro febribus corripiebatur, ad extremum etiam uno pede claudicaret. Et tunc quidem plura suo arbitratu quam medicorum consilio faciebat, quos poene exosos habebat, quod ei in cibis assa, quibus assuetus erat, dimittere et elixis adsuescere suadebant."

¹⁰¹ Pippin of Italy in 810 and Charles the Younger in 811; see the Royal Frankish Annals for these years, pp. 132 and 135 respectively. See also Nelson, "The Frankish Kingdoms, 814–898," p. 110.

¹⁰² Einhard, *Vita Karoli*, c. 33, pp. 37–41.

¹⁰³ Einhard's portents: Einhard, *Vita Karoli*, c. 32, pp. 36–7. On Charlemagne's age see M. Becher, "Neue Überlegungen." For a survey of the persistent problems associated with the succession in the Carolingian world see Kasten, *Königssöhne*; and for family relationships, see Schieffer, "Väter und Söhne."

¹⁰⁴ Nelson, "Charlemagne the Man."

¹⁰⁵ On the implications of Charlemagne's aging, and his longevity, see Dutton, "A World Grown Old."

¹⁰⁶ Airlic, "Charlemagne and the Aristocracy," pp. 100–1.

¹⁰⁷ We know of contact with the Danes, via accounts in the Royal Frankish Annals, in 782, 798 (in the revision of the Royal Frankish Annals), 804, 808, 809, 810, 811, 812, 813, pp. 60–62, 103, 118–9, 125–6, 128–30, 131, 134–5, 136–7, 138–9, respectively, making

from their skirmishes with the Danes during Charlemagne's last years.¹⁰⁸ However, this kind of guerrilla warfare was not the Franks' strong suit at any time.¹⁰⁹ The defeats were embarrassing, but there is no contemporary evidence that they were particularly devastating during Charlemagne's lifetime.¹¹⁰ We cannot read back the real threat we know would come from the North during the next reign.¹¹¹ Charlemagne's building up of maritime defenses may be a sign of the Viking onslaught to come, but it did not become an onslaught until later.¹¹² The ship construction in these years can also be interpreted as a sign of a more general interest in naval power in this period, which was directed not just against the Vikings, but against the Byzantines and Muslims in the South as well.¹¹³ These may have been the germs of some of the challenges that Louis would face, but they were not yet insurmountable.¹¹⁴ Perhaps most important, the struggles with the Danes, especially under Godfried, do not fit the model of Viking attack well. Godfried was not leading a group of seaborne raiders. Rather, he was the chief of a group of restive tributary peoples on the empire's frontier. This kind of struggle was one that Charlemagne was familiar with, not unlike what he had faced for decades while subduing the Saxons. We must thus remember that Charlemagne's problems with the Danes involved the Danish princes, and not the roving pirates who would later menace Francia. Charlemagne's military difficulties were thus played out in a setting of

clear the increasing emphasis on relations with these people in Carolingian sources. See also Fried, *Karl der Grosse*, pp. 531–5. On the importance of the Danes for the assessment of the end of Charlemagne's reign: Ganshof, "The Last Period of Charlemagne's Reign," pp. 242–3. For an overview of the complexity of relations between Franks and people identified as Vikings, see Nelson, "England and the Continent in the Ninth Century: II."

¹⁰⁸ For example, see the Royal Frankish Annals s.a. 808, pp. 125–6.

¹⁰⁹ Indeed this type of warfare remained problematic for the Franks into the ninth century; Coupland, "The Carolingian Army," especially pp. 68–70.

¹¹⁰ The struggle with the Danes in 808 (Royal Frankish Annals, pp. 125–6), for example, certainly was not a Frankish victory, but neither was it a disaster. See also the events in 810, recounted in the Royal Frankish Annals for that year, pp. 131–2.

¹¹¹ And when it did, some of the responses employed were borrowed from Charlemagne's reactions: See, for example, Coupland, "From Poachers to Gamekeepers," especially pp. 87–8.

¹¹² And during Charlemagne's reign, the attacks were more focused on Britain; see, for example, the Royal Frankish Annals s.a. 812, p. 137: This threat impinged on the Carolingian world, but did not yet rock it. On maritime defenses, see, for instance, *Capit.* I, no. 74, c. 11, p. 167; Royal Frankish Annals s.a. 811, p. 135.

¹¹³ For instance, see the mention of naval battles in the Royal Frankish Annals s.a. 806, p. 122.

¹¹⁴ Early hints of these challenges include the struggles with Godfried in 808–10 and the devastating attack on Lindisfarne in 793. Compare Nelson, "The Last Years of Louis the Pious," pp. 156–9 (pp. 47–50 in the reprint).

contact between rulers, with some room for political negotiation, rather than trying to fend off maritime attacks from poorly organized bands with little clear leadership. Furthermore, arguably the worst single military defeat Charlemagne ever endured was in Spain in 778.¹¹⁵ The king survived that too, despite far worse damage to his army and his prestige than that suffered at the hands of the Danes.¹¹⁶ His accumulation of military success never meant that there were no defeats, and the struggles with the Danes are no different.¹¹⁷ Whether Charlemagne would have handled the Viking attacks better than Louis is an unanswerable question.¹¹⁸ But we still cannot read back later defeats even if we can see their roots in the previous reign.¹¹⁹

Overall, Charlemagne's military glory may have been muted in his last years, but there is no contemporary sign of a loss of military control.¹²⁰ The king himself led armies less frequently, but that had been true for more than a decade as we approach the last years, and he never abdicated his role as commander-in-chief.¹²¹ Timothy Reuter, in a famous pair of articles, argued that Frankish military expansion ended around 800 because warfare had ceased to be sufficiently profitable to make it worthwhile for the Frankish aristocracy, and that the lack of military growth caused political problems.¹²² The political difficulties, move to a defensive posture, and problems organizing troops that Reuter links to the end of military expansion cannot be easily dated to the reign of Charlemagne without reading backward the impact of the later Viking invasions. Furthermore, Reuter's explanation for the

¹¹⁵ Ganshof, "Charlemagne," p. 521 (pp. 18–19 in the reprint), and Ganshof, "Une crise," on the crisis of 778–9, which did stem from factors in addition to the devastating defeat in Spain.

¹¹⁶ Einhard, *Vita Karoli*, c. 9 and c. 14, pp. 12–13 and 17. And see further discussion of the defeat in Spain on pp. 414–15.

¹¹⁷ The years 808–10 when the Danes were led by Godfried were the worst for the Franks; see the account in the Royal Frankish Annals for those years, pp. 125–32. See also Einhard's account of the events in Spain; *Vita Karoli*, c. 9, pp. 12–13.

¹¹⁸ And indeed recent literature has argued for a more positive assessment of Carolingian efforts against the Vikings; for example, Coupland, "The Carolingian Army," summarizing his argument on pp. 69–70.

¹¹⁹ Compare Ganshof, "The Last Period of Charlemagne's Reign," pp. 242–3.

¹²⁰ See, for example, the Royal Frankish Annals s.a. 812, pp. 136–7: This passage, typical of the narrative sources for the end of the reign, may not be much evidence of Charlemagne's direct participation in military activity, but it is also hardly indicative of a loss of control.

¹²¹ The real turning point here does seem to be around 790, with further slowing after 800, when the king led an army personally, at least in the account of the Royal Frankish Annals only in 804, and 810, pp. 118–19 and 131–2.

¹²² Reuter, "The End of Carolingian Military Expansion"; Reuter, "Plunder and Tribute."

cessation of conquest is not fully sustainable.¹²³ Plunder never played the role he attributes to it in Charlemagne's realm, nor is the chronology correct to explain the immense cultural expenditures of the reign that began long before the Avar windfall.¹²⁴ Not all the conquests were actually profitable: Grueling warfare in the wilds of Saxony, for instance, was not likely to bring in much wealth.¹²⁵ Therefore, less plunder cannot account for the end of expansion. Reuter is right to insist that the end of conquest was a conscious decision.¹²⁶ However, it seems to me that the best explanation for the end of expansion we can offer is the recognition by the court of the amount of land already accumulated and the insistence on holding the Eastern frontier. The issue is worthy of further attention, but the key point for us in this context is that there is no evidence that the decline in expansion created serious political, military, or economic problems for Charlemagne. What the sources suggest is two main models of warfare, namely, a first phase with the king virtually constantly on campaign, which persisted until the 790s, and then a second phase of less intensive and more frequently delegated military activity. We might note that even the Avar conquest, which evoked such glee about booty in Frankish sources, was largely conducted without Charlemagne's direct involvement.¹²⁷ Again, the clearest pivot in the reign is its mid-point, not the imperial coronation or the last years.

If military activity does not justify the claim that Charlemagne lost control over his realm, the idea that Charlemagne more and more left power in the hands of others might. And this is indeed another frequent claim of scholars, that we can perceive a handover of political power in

¹²³ A point Reuter himself later admitted, see Reuter, "All Quiet Except on the Western Front?" p. 444, note 51.

¹²⁴ Nelson, "Kingship and Royal Government," pp. 385–95; Airlie, "Charlemagne and the Aristocracy," pp. 95–6. The limited economic role of plunder similarly undermines Hägermann's suggestion that a decline in plunder later in the reign encouraged corruption, as agents needed to make up the difference elsewhere. This argument is also unsustainable given the chronology of changes in plunder (dated to around 796 by Hägermann) and in a supposed increase in corruption toward the end of the reign (around 806), which I will also argue against in the Conclusion. Compare Hägermann, *Karl der Große*, p. 527.

¹²⁵ Although it did bring some: See Reuter, "Plunder and Tribute," p. 77 (p. 233 in the reprint).

¹²⁶ As Hartmann has noted, refusing to see Charlemagne's conquests as fully planned out in advance does not mean there is not some planning behind them: Hartmann, *Karl der Große*, p. 12.

¹²⁷ Charlemagne led an attack in 791 (Royal Frankish Annals, s.a. 791, pp. 86–8), but then subsequently delegated most of the effort (see the revised Royal Frankish Annals, s.a. 792–6, pp. 91–101). For the Frankish reaction, see, for instance, Einhard, *Vita Karoli*, c. 13, p. 16.

the very last years of the reign.¹²⁸ The most frequently adduced candidates who were taking over from Charlemagne are his cousins Adalhard and Wala.¹²⁹ An early dispute between Charlemagne and Adalhard over Italy and potentially over Charlemagne's deposed Lombard bride had been long settled by the end of the reign, and both Charlemagne's cousins were clear, consistent, and significant supports to his rule.¹³⁰ We can indeed see many signs of the cousins at work in the last years.¹³¹ However, we must also note that much of what they were doing in these last years was in Italy, suggesting that it was perhaps Bernard of Italy who was especially in need of shoring up, rather than Charlemagne himself.¹³² Nonetheless, it is relatively rare to see individuals clearly in Charlemagne's reign, although this is less true for members of the Carolingian family. Thus, we do need to take seriously the increased prominence of Wala and Adalhard in the last years, as a potential sign of a loosening of direct royal control that was partly made up for by the work of the king's reliable cousins.¹³³ It is worth underlining that the relatives filling in for Charlemagne appear to have been primarily

¹²⁸ Although these issues remain problematic, as Ganshof himself notes; Ganshof, "Charlemagne," p. 527 (p. 25 in the reprint).

¹²⁹ Ganshof, "The Last Period of Charlemagne's Reign," p. 249; Weinrich, *Wala*, pp. 18–19, 28.

¹³⁰ On the dispute, see Paschasius Radbertus, *Vita sancti Adalhardi*, c. 7, cols. 1511–12. For the relationship with Charlemagne: Kasten, *Adalhard*, pp. 42–72.

¹³¹ Weinrich, *Wala*, pp. 18–28; Kasten, *Adalhard*, pp. 42–72; Nelson, "Women at the Court of Charlemagne," p. 240 in the reprint (the original does not seem to include this paragraph).

¹³² On Wala, see, for example, the Royal Frankish Annals s.a. 812, p. 137. On Adalhard: Adalhard's ties to Italy were not simply a matter of royal service; he also visited Montecassino in his early years as a monk; Paschasius Radbertus, *Vita sancti Adalhardi*, chapters 11 and 12, cols. 1514–15. For an overview of Adalhard's work in Italy, see Kasten, *Adalhard*, pp. 42–7, 68–72, and on Adalhard as an Italian specialist at the court of Charlemagne, see Keller, "Zur Struktur der Königsherrschaft," pp. 128–9. Toward the end of the reign, Adalhard went to Italy to help represent Charlemagne during the *filioque* discussions with Pope Leo (Royal Frankish Annals s.a. 809, p. 129; letter of Pope Leo III, *EP V*, no. 9, pp. 67–8). Adalhard was sent to Rome with Bernhar of Worms and Jesse of Amiens, other major court figures (*Ratio de symbolo fidei inter Leonem III Papam et missos Caroli imperatoris*, in *Das Konzil von Aachen, 809*, ed. Willjung, p. 287; and on the evidence for this embassy: *Das Konzil von Aachen*, ed. Willjung, pp. 88–9). Adalhard was in Italy for much of the last few years of the king's life, including when Charlemagne actually died. While in Italy, he served the king as *missus* (see Kasten, *Adalhard*, pp. 68–71), where, among other activities, he heard cases for the king (*I Placiti*, ed. Manaresi, no. 25, pp. 78–80 and no. 28, pp. 86–9). Another case (*I Placiti*, ed. Manaresi, no. 26, pp. 81–4; also edited in ChLA 73, no. 50) was heard on his order. There was at least one other case heard by Adalhard in Italy, referenced in a later case, whose records are now lost: See *Placiti*, ed. Manaresi, no. 106, pp. 388–96, here p. 392, and *perduti*, no. 10, p. 592.

¹³³ As argued by Ganshof, "The Last Period of Charlemagne's Reign," p. 249, emphasizing the role of Wala.

Wala and Adalhard, a sign perhaps of Charlemagne's lack of confidence in Louis and continued dissatisfaction with his plans for the succession. Yet, as with the argument about military decline, a claim that Adalhard and/or Wala were taking over during the final years of the reign is basically unsustainable without later sources. For instance, one of Louis the Pious' biographers alleges that Wala wanted to succeed Charlemagne in place of Louis.¹³⁴ Is this accurate or a slander meant to excuse Louis' treatment of much of his family during the early years of the reign, to justify his contentious relationship with Adalhard and Wala, and to gloss over the tension attendant on Louis' takeover? All the contemporary sources reveal is frequent evidence for the activity of Adalhard and Wala at the end of the reign, always as loyal servants of Charlemagne. The prominence is not really new for Adalhard, and for Wala may be explained by his greater age (he was much younger than Adalhard and Charlemagne)¹³⁵ and thus presumably increased competence. Similarly, the implication that Charlemagne was considering Bernard of Italy as a potential heir cannot be supported by any contemporary evidence showing him taking an active role in events in Francia.¹³⁶ Even in Italy, he may have answered to Adalhard and Wala.¹³⁷ Thus, the people typically considered candidates to have taken control during the last years of the reign were men who served Charlemagne faithfully and well. This is perhaps better evidence of the king's typical ability to inspire devoted service rather than a sign of him losing control over his empire.

The one significant change in those close to the king in the later years of the reign goes back to 800, although it has nothing to do with the imperial coronation. This is Charlemagne's choice, after the death of his last wife Liutgard, to remain unmarried. The decision, as we will see later, is usually interpreted as a sign of the king's desire not to produce more heirs who might contest control over the realm.¹³⁸ One consequence of this choice was that his daughters came to serve as a collective

¹³⁴ Astronomer, *Vita Hludowici imperatoris*, c. 21, p. 346. ¹³⁵ Weinrich, *Wala*, p. 13.

¹³⁶ Compare Fried, "Elite und Ideologie."

¹³⁷ This suggestion requires further support, but one could argue that Adalhard is more visible in Italy than Bernard; see [Note 132](#) for evidence of his work in Italy. For subordination to Wala, see the Royal Frankish Annals s.a. 812, pp. 136–7: "imperator generali conventu Aquis sollemniter habito Bernhardum filium Pippini, nepotem suum, in Italiam misit; et propter famam classis, quae et de Africa et de Hispania ad vastandam Italiam ventura dicebatur, Walanem filium Bernhardi patruelis sui cum illo esse iussit, quoadusque rerum eventus securitatem nostris adferret." I am not convinced by Fried's effort to argue that Adalhard and Wala were Bernard's uncles, via a supposed marriage between Pippin of Italy and their sister: Fried, "Elite und Ideologie," especially pp. 93–4.

¹³⁸ See Goffart, "Paul the Deacon's," and full discussion in [Chapter 8](#).

queen, a role brilliantly elucidated by Jinty Nelson.¹³⁹ They, of course, would not succeed their father and thus did not take over for him, but they did play a prominent role at court. The choice may have raised some eyebrows,¹⁴⁰ but it also allowed Charlemagne to follow his preferred path of multiplying possible ways of doing anything and of delegating to multiple people at once. In terms of both the reliance on the daughters and the trust placed in Adalhard, Wala, and conceivably Bernard, Charlemagne was using his relatives and depending on multiple people. The king appears neither isolated, nor solely reliant on family. Einhard, to give just one example, was another key adviser at the end of the reign.¹⁴¹ Rather than losing control of his empire or breaking with the precedent of sons inheriting, Charlemagne was relying on his relatives and trusted friends, but always on many of them at once, not just one. The last years show us a Charlemagne taking refuge in his family, but also a Charlemagne who was retaining ways of doing things that had served him well during the long years of his reign.

We have thus far proceeded negatively, by seeking to counter the arguments that military shifts or signs of others helping the king indicate a royal loss of control. Let us now turn to a more positive argument about just what Charlemagne was actually doing in 813. The evidence for 813 is interesting, because it reveals extensive political activity and more of the innovations the reign is so notable for. These innovations provide the analytical key that can permit us to understand what was going on in this final full year of Charlemagne's life. The innovations show us some of the same political traits that we have come to recognize as characteristic of Charlemagne's rule, but they also offer a few hints of what might be changing. Even if Charlemagne was not losing control over his empire, the fact that he would not live forever was clear. Yet, what these tentative hints of change reveal is not so much an abdication of royal authority as the slow emergence of techniques of rule that would shape the subsequent reign. Let us explore the events of the year 813 as a window into this period of transition.

We must first note that there is no indication of a lack of activity in 813; indeed, it is one of the busier years of the entire reign.¹⁴² The last few years, in terms of the giving of charters, were no different than the years since 790 generally.¹⁴³ We examined the periodicity of the charters

¹³⁹ Nelson, "Women at the Court of Charlemagne."

¹⁴⁰ Einhard, *Vita Karoli*, c. 19, pp. 24–5.

¹⁴¹ Dutton, "An Introduction to Einhard," pp. xv–xvi.

¹⁴² Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, nos. 476–82.

¹⁴³ The only small spike in the last years of the reign is in 811, when the king bestowed four charters. These gifts in 811 could potentially relate to the king reaching the end of his

earlier; in these terms 813 looks much like any other year from the end of the reign. We also observed that the timing of capitularies was more erratic, but here too we have no evidence that 813 represented a falloff in legislative activity. On the contrary, in 813 the court produced seven definite capitularies,¹⁴⁴ a number rarely matched during the reign.¹⁴⁵ Charlemagne's court in 813 was thus still hard at work, engaged in much the same kind of activity as before. Yet, we do see several important developments in 813, which resulted in some interesting texts and artifacts. A closer look at these new products of rule can help illuminate the events of the end of the reign. First of all, 813 is the year of the five great reforming councils we introduced in [Chapter 5](#). These were clearly held on royal direction, but they also mark a pivotal moment of episcopal independence, and the shouldering of the mantle of religious reform by the church as bishops began to take a more prominent role, vis-à-vis the king, in running councils.¹⁴⁶ This might be a sign of the loosening of the reins of royal control. Yet, on the other hand, the content of these councils is a strong restatement of the concerns first expressed in the *Admonitio generalis* in 789.¹⁴⁷ The councils may represent a first step toward episcopal independence, but they still reveal the bishops acting in a royal framework of reform.¹⁴⁸ More importantly, as I argued earlier, they are the fulfillment of a royal interest in local reform, which built on regional precedents. In that sense, these are very

life, but given that the increase in grants in this year is minimal, it is hard to conclude anything on the basis of this piece of evidence. The charters given in 811 are DK nos. 211–14.

¹⁴⁴ *Capit.* I, no. 78, pp. 173–5; *Capit.* I, no. 79, p. 175; *Capit.* I, no. 83, pp. 181–2 (maybe); *Capit.* I, no. 84, pp. 182–3; *Capit.* I, no. 92, pp. 194–5; *Capit.* I, no. 93, pp. 196–8; *Caroli Magni capitulare ecclesiasticum* (ed. Mordek, *Bibliotheca*, pp. 981–9); *Caroli Magni capitulare generale* (ed. Mordek, *Bibliotheca*, pp. 990–4). All dates from Mordek, *Bibliotheca*, pp. 981, 990, 1089, 1090. See [Graph 7.1](#) for details of the distribution. The graph represents only those texts securely dated to a particular year; so, while eight texts are listed here, I have not included the debatable no. 83 in the graph or the count given in the text. I am not convinced by Mordek's dating of his *Capitula Italica incerta I* (ed. Mordek, *Bibliotheca*, pp. 995–7), so I exclude it here. See also [Note 149](#). As the dating of many texts is difficult, too much stress should not be placed on precise figures. Nonetheless, the vibrancy of the late legislation and its equivalence to 801–3 should be clear.

¹⁴⁵ See pp. 356–7.

¹⁴⁶ McKitterick, *The Frankish Church*, p. 12; Patzold, *Episcopus*, pp. 100–1.

¹⁴⁷ De Clercq, *La législation religieuse*, pp. 231–47.

¹⁴⁸ All of the councils make it clear that they were acting with royal authority (see the introductions to all: *Concilium Arelatense*, no. 34, p. 248; *Concilium Remense*, no. 35, p. 254; *Concilium Moguntense*, no. 36, pp. 259–60; *Concilium Cabillonense*, no. 37, p. 274 (and c. 67, p. 285); *Concilium Turonense*, no. 38, introduction and chapter 1, pp. 286–7 (and conclusion, p. 293), all from *Conc.* II. There is a good deal of similarity among all five councils (de Clercq, *La législation religieuse*, pp. 232–47). And see McKitterick, *The Frankish Church*, p. 12 on transition to episcopal direction.

much a royal activity, whose structure reflects learning from Bavarian precedent, whose content echoes earlier royal legislation, and whose self-presentation emphasizes royal order.

A similar hint of changing traditions can be found in the ecclesiastical capitulary of 813.¹⁴⁹ This capitulary has a number of unusual features,¹⁵⁰ namely, the language is far more elaborate and sophisticated than usual, some of the chapters are particularly long,¹⁵¹ and the use of scriptural and patristic citations is atypically frequent.¹⁵² In addition to the number of citations, their selection is uncharacteristic, such as the reference made to Augustine, who is not often cited in capitularies.¹⁵³ Finally, several chapters seem to be issued in the voice of bishops.¹⁵⁴ This last feature in particular has prompted Rudolf Pokorný to propose that the capitulary was not in fact a royal capitulary, but rather conciliar material.¹⁵⁵ The atypical features of the capitulary are enough to indicate that it was likely not composed in exactly the same way as most other capitularies.

¹⁴⁹ *Capitulare ecclesiasticum* (ed. Mordek, *Bibliotheca*, pp. 981–9). There are dating complications surrounding this text, which I will address in my forthcoming *Per capitularios nostros*.

¹⁵⁰ Compare Fried, “Elite und Ideologie,” especially pp. 71–87, who argues that the capitulary is innovative because of its vision of peace and the unity of the empire. I will here interpret the novelty of the capitulary in quite different terms.

¹⁵¹ It must be noted that one chapter is not quite as long as the edition makes it appear: The very long first chapter of the edition is actually divided by the use of red capitals in the unique manuscript into four chapters: Munich, Bayerische Staatsbibliothek, Clm 19414, f. 75v and 76r; available online at: <http://daten.digital-sammlungen.de/~db/0007/bsb00079104/images/>.

¹⁵² For an example of the language, *Caroli Magni capitulare ecclesiasticum*, c. 9 (ed. Mordek, *Bibliotheca*, p. 985): “Ut episcopi canonicos suos ad discendam divinam scripturam canonica disciplina constringant, sicut ipse dominus noster imperator in omni placito suo iubet, et ut sanctus Gregorius in libro pastorali meminit, ne venire <imperiti> ad magisterium audeant, et ut nulla ars doceri præsumentur, nisi intenta prius meditatione discatur, id est, ut nullus, qui ad sacrum ordinem pervenire desiderat, prius ordinetur, antequam suum officium pleniter discat, nec qui ordinatus est, suo utatur officio, si non scit aut didicerit, quæ ad ipsum pertinent ministerium. Quomodo enim docet, quæ sibi ignorat?: Quos et dominus in evangelio increpat dicens: Si cecus ceco ducatum præbet, ambo in foveam cadunt; quia incios literarum canones provehi prohibent. Similiterque Hilarius et Celestinus necnon et Gelasius in suis decretis.” The length of the passage, the detailed theological tone, and the frequent citations of authorities are all unusual for a capitulary. The length and the frequency of biblical and patristic citation are also evident in *Caroli Magni capitulare ecclesiasticum*, c. 1 (ed. Mordek, *Bibliotheca*, pp. 981–3).

¹⁵³ For example, there is a reference to Augustine in *Caroli Magni capitulare ecclesiasticum*, c. 1 (ed. Mordek, *Bibliotheca*, p. 981).

¹⁵⁴ For example, *Caroli Magni capitulare ecclesiasticum*, c. 1 (ed. Mordek, *Bibliotheca*, p. 982): “Nos enim rectores ecclesie . . .” There are also references in chapters 2, 6, 9, 10, and 22; see Mordek and Schmitz, “Neue Kapitularien,” pp. 367–8 (pp. 87–8 in the reprint), justifying the categorization as a royal capitulary.

¹⁵⁵ Pokorný, “Eine Brief-Instruktion,” pp. 78–9, note 93.

However, the capitulary form, as we have seen, was a loose one, and most of these features of the capitulary have precedent in other capitularies, in particular the *Admonitio generalis*.¹⁵⁶ Moreover, the highly ecclesiastical language of the 813 *Caroli Magni capitulare ecclesiasticum* is largely confined to the first nine chapters. After these, while there is still more citation of councils than is typical of most capitularies (much of it borrowed from the *Admonitio generalis*), the language is similar to that of other capitularies. It is these links to the *Admonitio* that help us see what is happening with this text. The *Admonitio*, which set off the Carolingian reform program, was, due to its special status and its unusual ambition, written differently, particularly evident in the role played by clerics in its composition, its dependence on conciliar language, and its long chapters.¹⁵⁷ We thus revisit these unusual features of the *Admonitio* at the very end of the reign.¹⁵⁸ It was then, as episcopal control over reform increased, that the more religious language and clerical participation, which so marked the *Admonitio*, recurred.¹⁵⁹ As with the 813 councils, we can see here hints of old royal policies beginning to be expressed in some new forms.

A final example of innovation in 813 is related to the so-called imperial coinage. This portrait coinage, linked by Lafaurie and scholars following him to the idea of empire because of its use of an imperial title for Charlemagne and its portrait bust dressed Roman-style, was only issued briefly.¹⁶⁰ Lafaurie dated it to 812 because of the Byzantine recognition of Charlemagne's imperial title. Explaining the coinage by a reaction to

¹⁵⁶ See, for example, the sophistication and scriptural citations in the introduction and the length of c. 82 in the *Admonitio generalis*, *Capit.* I, no. 22, pp. 53–4 and 61–2, respectively (also ed. *AG*, introduction, pp. 180–4 and c. 80, pp. 234–8). See also Mordek and Schmitz, “Neue Kapitularien,” pp. 367–8 (pp. 87–8 in the reprint).

¹⁵⁷ On the composition of the *Admonitio generalis*, see the references given in [Chapter 1, Note 191](#).

¹⁵⁸ The tone and language of this capitulary is closer to the *Admonitio generalis*, *Capit.* I, no. 22, pp. 53–62 (also ed. *AG*, pp. 180–238) while the content is more similar to the *Capitulare missorum generale*, *Capit.* I, no. 33, pp. 91–9.

¹⁵⁹ For a sense of the religious tone of the 813 capitulary: *Caroli Magni capitulare ecclesiasticum*, c. 1 (ed. Mordek, *Bibliotheca*, pp. 982–3): “Nos enim rectores ecclesie dei mortem nullatenus evitamus eternam, nisi iugiter clamemus iugiterque ammonemus gregem Christi nobis commissum, ut discat et operatur, que sibi necessaria sunt ad eternam salutem, et eam, que ad perniciem diabolus suggerat, omnimodis fugiat dicente Ezechiele propheta: ‘Si tu non adnuntiaberis iniquo iniquitatem suam, morte morieris sanguinemque eius de manu tua requiram’.” See also McKitterick, *The Frankish Church*, p. 12, on the 813 councils.

¹⁶⁰ Key studies include: Lafaurie, “Les monnaies impériales de Charlemagne”; Kluge, “Nomen imperatoris und Christiana religio”; Kluge, “Die Bildnispfennige Karls des Großen”; Garipzanov, “The Image of Authority”; Garipzanov, *The Symbolic Language of Authority*, pp. 208–16; Coupland, “Charlemagne’s Coinage”; Grierson, “Money and Coinage under Charlemagne,” pp. 518–27; Matzke, “Antikenrezeption”; Coupland,

the Byzantines does not convince: The Frankish court never reacted so precisely to Byzantine contact and certainly not in relation to the imperial title, whose status, according to the Franks, was hardly dependent on Byzantine acceptance.¹⁶¹ The short time of issuing, suggested by the quite limited number of surviving examples, does seem to imply a late date, and I find Garipzanov's suggestion of 813 compelling.¹⁶² Kluge's recent hypothesis linking the coinage to the coronation of Louis the Pious as co-emperor in 813 helps explain the imperial elements of the coinage, which are more appropriate to the court of Louis the Pious than to that of Charlemagne.¹⁶³ But we must also remember the complexity of the messages conveyed by the portrait coinage. The coinage is usually seen as a clear expression of imperial ideology at the court.¹⁶⁴ I have elsewhere argued that the coinage actually evokes a number of associations, only some of which were imperial.¹⁶⁵ It is only in light of Louis' later embrace of imperial elements at the expense of others that the coinage seems to articulate a solely imperial program. In the portrait coinage, as with the 813 councils and the ecclesiastical capitulary, we can see some new trends coming to the fore, some of which would subsequently develop in new ways, but much of which still harks back to older precedents of Charlemagne's reign.

The evidence for Charlemagne's last years then can be summarized thus: There is little evidence for major military decline; there is similarly little evidence for a decrease in governmental source production; the succession was becoming a more pointed concern; the king was ill for the first time; there are hints of continued reliance on the royal family, although not on the son who would have to succeed; and some hints too of some new ways of composing royal sources, written and material. What does this suggest *in toto*? What we can see here are a few indications in the very last years of the reign, that is possibly 812 and certainly 813, of a realization that the king would die soon, and, in this context, the emergence of a few new ways of doing things, some of which would be later taken up more strongly by Louis. These changes are admittedly hard to see, and it was not a topic any of our sources had any interest in

"The Portrait Coinage of Charlemagne." I would like to thank Elina Screen for advice and bibliography on the coinage.

¹⁶¹ McCormick, *Charlemagne's Survey of the Holy Land*, p. 190, note 20.

¹⁶² The fullest list of specimens is in Coupland, "The Portrait Coinage of Charlemagne." I would like to thank Simon Coupland for allowing me to read this article prior to publication. For the dating argument: Garipzanov, *The Symbolic Language of Authority*, p. 208.

¹⁶³ Kluge, "Bildnisdenar Karls des Großen."

¹⁶⁴ See in particular, Garipzanov, *The Symbolic Language of Authority*, pp. 208–16.

¹⁶⁵ J.R. Davis, "Charlemagne's Portrait Coinage."

dwelling on. But there are hints that things were starting to change toward the very end of Charlemagne's life.¹⁶⁶ We must stress a few points here, namely, that the changes were confined to the very end of Charlemagne's reign, and not to the years after 806 or 802, and that even at the end of the reign there is no question of a complete devolution of power. The "system" of governance Charlemagne had set up could not have been easily maintained, but it also did not collapse during his reign. Things were changing, but only at the very end of the reign and not on all fronts. Ganshof's argument about chronology, about a slow slide into disillusionment and ineffectiveness, about military attack and declining governmental energy, is unsustainable.

In 813, then, Charlemagne's court was doing what it usually did, generating new ideas and documents. Louis the Pious would pick up on some of those innovations, but we cannot read this as a clear policy shift at the end of the reign. There were signs of greater episcopal participation in political life and more interest in imperial ideas, but these were combined with other tools and techniques of rulership more typical for Charlemagne. It is only hindsight that lets us see that these particular developments at the court of Charlemagne would become important for Louis, and thus help shape subsequent Frankish history. What would have become of these hints of change had Charlemagne lived longer is impossible to say, but we cannot assume that these particular shifts that marked out Louis' rule would have had the same impact under the continued governance of his father. The uncertainty prompted by the king's advancing age created a situation in which we do see some new developments, that, in light of what would happen under Louis, seem to demonstrate a shift in rulership. In terms of Charlemagne's own reign, these developments, deprived of a teleological interpretation, appear as no more than innovations, not unlike the other innovations the reign is notable for. In the context of our examination of the chronology of the reign, the key point to note is that when we consider Charlemagne's reign on its own terms, in 813 political life was proceeding apace, despite the recognition of the king's advancing age and the first hints of some new ways of ruling.

The death of Charlemagne

In his earliest surviving diploma, a charter drawn up in concert with his brother, which we will analyze in [Chapter 8](#), Charlemagne made a grant

¹⁶⁶ See also the assessment in Nelson, "La cour," p. 189.

to the monastery of Saint-Denis.¹⁶⁷ In the charter, he stated his desire to be buried at Saint-Denis, as his father and some of his predecessors had been and as so many of his successors would be.¹⁶⁸ In the event, when Charlemagne died on January 28, 814, he was buried at Aachen, in the remarkable church he had built for himself. Einhard tells us the king had left no instructions,¹⁶⁹ but part of the explanation for the choice of burial may have been Wala's desire to have it done before Louis arrived.¹⁷⁰ A reign that had begun with a claim to Frankish tradition ended with the interment of Charlemagne in the new capital he had created. It is the start that does not fit, not the conclusion. Charlemagne forged his own path and in the scope of the reign as a whole, the desire to be buried where and as his father was is the decision that seems not to match. Burying the king in a place that barely counted until he transformed it better suits the character of the reign. It had not taken Charlemagne long to rework the traditions he had inherited, to become *rex Francorum* and then to reinvent what that office meant. For the majority of his long reign, Charlemagne ruled in the same basic way. This is not to deny the course of change: Particular years, like the stunning confidence and ambition of 794 or the remarkable takeover of the Lombard kingdom in 774, stand out; certain periods are better documented, notably the busy year of 802. Yet, even in 813, when we see hints of change, Charlemagne was directing his empire. How did the consistent approach to rule combine with the inevitable changes? If we have redrawn the chronology to emphasize a pivot around 790, but largely consistent governance from then on, how do we incorporate change? It is to these questions we must now turn.

¹⁶⁷ DK 55 (ChLA 15, no. 608).

¹⁶⁸ DK 55, and ChLA 15, no. 608, which I cite here: "nos ob amorem dei et mercedis nostrae augmentum donamus ad casa sancti domni Dyonisii martyris, ubi ipse pretiosus domnus cum sanctis sociis suis in corpore requiescit et domnus et genitor noster Pippinus, rex, requiescere uidetur et nos, si domino placuerit, sepelire cupimus." For discussion of Carolingian funerals, see Dierkens, "Autour de la tombe," with, however, a different explanation than that offered here for Charlemagne's burial at Aachen.

¹⁶⁹ Which likely was not true; see Nelson, "Carolingian Royal Funerals," pp. 145–53.

¹⁷⁰ Einhard, *Vita Karoli*, c. 31, p. 35. The point about Wala is simply conjecture, but stems from his leading role and tension with Louis, as outlined earlier. Compare Nelson, "Carolingian Royal Funerals," pp. 146–7, 151, 153, who suggests Charlemagne's daughters took charge of events.

In his celebrated and oft-cited account of Charlemagne's imperial coronation in 800, Einhard claims that the emperor told him that he would never have entered St. Peter's, despite the holiness of the day, had he known of Leo's plans to proclaim him emperor.¹ The story has occasioned a great deal of historical commentary, without there yet emerging a clear consensus about what Einhard meant by this comment and if we should believe him.² The claim seems preposterous to me: Leo was hanging onto his position as pope solely due to Charlemagne's support. He was in no position to surprise the king with an unwelcome public ceremony.³ Moreover, although one may doubt some of the arguments made about the ideological foundations for the coronation,⁴ the evidence is clear that the court was actively planning for important events in the months leading up to the trip to Rome.⁵ While the imperial title may not have changed the nature of rulership, the actual coronation was an important sign of prestige to the court. However one interprets Einhard's intentions, it seems hard to avoid the conclusion that Einhard is leading us astray, consciously or not. When Charlemagne arrived in Rome in the year 800 he meant to leave the imperial city as the first emperor in the West in more than 300 years. That is, Charlemagne had a plan for his imperial coronation.

¹ Einhard, *Vita Karoli*, c. 28, p. 32.

² For some of the range of opinions, see Collins, "Charlemagne's Imperial Coronation," pp. 52–4. For the divergent perspectives offered in the sources generally, see Nelson, "Why Are There So Many Different Accounts." Part of the explanation may be that Einhard was more interested in relating Charlemagne's spiritual ties to Rome; see Schieffer, "Charlemagne and Rome."

³ The ceremonial aspects are particularly stressed in the *Liber pontificalis: Vita Leonis III*, c. 23, p. 7.

⁴ For such ideological explanations, see, for instance: Beumann, "Nomen imperatoris"; Schramm, "Karl der Große als Kaiser"; Borst, "Kaisertum und Namentheorie."

⁵ Even those who try to salvage Einhard's account of the coronation admit this; for instance, Noble, *The Republic of St. Peter*, pp. 294–7.

I begin this chapter with the story of Einhard's account of the coronation because it underlines some critical problems of interpretation for the study of the reign of Charlemagne, namely, to what extent did the king and his court follow a set strategy of rulership, how much did they intend the effects of governance we have been examining, how did techniques of rulership shift during the reign? The first part of this book argued that Charlemagne's approach to maintaining control over his vast empire depended on irregular demonstrations of force and strong statements of royal prerogatives, coupled with erratic implementation. We examined how much of Charlemagne's rule was predicated on *ad hoc* reactions to the needs of the moment, deliberate creation of overlapping responsibilities, and a deep tendency to avoid problems unless pushed by absolute necessity. The second part of the book addressed the balancing of imperial and local concerns in Charlemagne's rulership, arguing for the creation of a political center and an imperial political culture that not only left room for diversity, but used it. All of these features of rulership could be taken to imply that Charlemagne's rule was shaped by circumstance, that the king and his men had no grand plan or lofty goals, but simply responded to events as they occurred and reacted to circumstances they could not change. On the other hand, some of the main objectives of Carolingian rulership, such as the concern for salvation, were pursued clearly and consistently throughout the reign (and will be discussed later). Similarly, certain of the techniques of rulership we have examined were constant features of Charlemagne's rulership. Moreover, we have seen copious evidence of strategic and coherent choices about rulership. How then can we combine the evidence for *ad hoc* responsiveness with the signs of considered pursuit of certain ends and the persistence of select tools of rulership?

The question of consistency can also be framed as one of intention: How much did the king and his men consciously intend to achieve certain ends? What were the goals and aims of the royal court? We may never be able to answer this question in terms of intentions. Individuals' aims are rarely amenable to sustained historical analysis, particularly for an early medieval figure where we lack almost all access to personal feelings and perceptions.⁶ We can, however, make an argument about consistency and change, about the combination of strategy

⁶ For some observations on studying intention, with particular attention to the reign of Charlemagne, compare the positive approach in Nelson, "Charlemagne the Man," p. 23 to the reservations in Schieffer, "Karl der Große—Intentionen und Wirkungen," and to the strong warnings about what we can know in Fried, "Wissenschaft und Phantasie," pp. 305–15.

and responsiveness, about the historical development of Charlemagne's reign. Doing so is essential, because it will allow us to think about the overall structure of Charlemagne's rulership and to reach a verdict on how his governance developed over time. The [previous chapter](#) offered a new chronology of the reign, focused on the pivot of 790. Yet, this argument about the consistency of the basic approach to rule is not meant to deny change over time. The nature of changes in rulership and how these structured the reign are the subjects of this chapter. We will begin by considering just how far back in the reign we can trace some of Charlemagne's techniques of rulership. By comparing Charlemagne with his brother Carloman, we can glimpse some first hints of what would become Charlemagne's particular approach to the challenges of rule. These first indications of strategies of rule demonstrate the extent of continuity in the reign. The next section of the chapter will attempt to lay out what exactly this consistency meant: What were the goals the court regularly pursued?

Having established the early signs of Charlemagne's later rulership and the aims that gave shape to the reign throughout, we will next turn to the forces of change, examining in turn the daily press of events, contingency, and royal failures, all of which interrupted the push toward consistency and regularity. The combination of forces encouraging consistency and those encouraging change may seem to indicate a precarious balance. In fact, the limits on consistency imposed by the inevitable forces for change did not derail the rhythms of political life. Rather, the constant expectation of change became itself a structuring feature of the reign. How this worked and the shape it gave to Charlemagne's empire of practice will be the final question addressed in this chapter.

The making of Charles the Great: Charlemagne and his brother

Evaluating the balance between change and consistency during the reign requires us to think about how early the defining features of Charlemagne's rulership emerged. The example of Charlemagne's early years of shared rule with his brother illustrates the Frankish tradition Charlemagne both built on and departed from. The Carolingian family inherited the Frankish expectation of royal partible inheritance and largely continued it.⁷ When it came time to mark his own sons out for

⁷ Classen, "Karl der Grosse und die Thronfolge," pp. 126–34 (pp. 221–9 in the reprint). The Carolingian approach to succession over time incorporated many possible norms. See the full discussion in Kasten, *Königssöhne*, especially pp. 559–74. Ian Wood has

the succession, Pippin III, following the Merovingian and to some extent Carolingian tradition, left power to both boys.⁸ We can survey the basic history of Charlemagne's joint rule with his brother quickly.⁹ The story of Charlemagne's reign begins with a coronation ceremony in Noyon, paralleled by his brother's assumption of the throne in Soissons.¹⁰ The tensions between the two were evident almost immediately.¹¹ The first sign of trouble was when Carloman refused to come to his brother's aid in Aquitaine in 769.¹² The revision of the Royal Frankish Annals later blames this estrangement on bad advice received by Carloman. However, we have no contemporary account to justify this evaluation, which favors Charlemagne's position, as does the account of relations between the brothers in Einhard.¹³ In 770, Bertrada set off to get Charlemagne a Lombard wife. Her quest has been interpreted as trying to bring harmony to her sons, or as a tactic favoring one or the other child, but is usually seen as a further indication of dissension between Bertrada's children.¹⁴

questioned if the principle of division was generally accepted under Clovis, as the scholarship usually assumes (I.N. Wood, *The Merovingian Kingdoms*, p. 50). Recent work has also stressed the complexity of the early divisions: Widdowson, "Merovingian Partitions." However, regardless of when the practice became accepted, it was clearly traditional by the dawning of Carolingian power. I will address Charlemagne's succession strategies later.

⁸ For details of earlier succession arrangements see Classen, "Karl der Grosse und die Thronfolge," pp. 126–32 (pp. 221–7 in the reprint).

⁹ See survey in M. Becher, *Charlemagne*, pp. 46–51; Kasten, *Königssöhne*, pp. 121–35.

¹⁰ Royal Frankish Annals s.a. 768, p. 28: "Et domnus Carolus et Carlomannus elevati sunt in regnum, domnus Carolus VII. Id. Octobr. in Noviomio civitate, Carlomannus in Suessionis civitate similiter." Revision of the Royal Frankish Annals s.a. 768, pp. 27–9: "Filii vero eius Karlus et Carlomannus consensu omnium Francorum reges creati et Karlus in Noviomio civitate, Carlomannus in Suessona insignia regni susceperunt."

¹¹ The latest date for a split between the brothers, in Jarnut's estimation, is Spring, 769, just after the joint embassy to the Roman council to be discussed later; Jarnut, "Ein Bruderkampf," p. 167 (p. 237 in the reprint).

¹² Recorded in the Royal Frankish Annals for that year, p. 28 and in Einhard, *Vita Karoli*, c. 5, p. 7.

¹³ Revision of the Royal Frankish Annals s.a. 769, pp. 29–31: "Postquam hi duo fratres patri succedentes regnum inter se partiti sunt, Aquitania provincia, quae in sortem maioris natu Karli regis cesserat, remanentibus in ea transacti belli reliquiis, conquiescere non potuit. Nam Hunoldus quidam regnum adfectans provincialium animos ad nova molienda concitavit. Contra quem ipse, cui eadem provincia sorte obvenerat, rex Karlus cum exercitu profectus est. Sed cum fratris auxilium habere non posset, qui procerum suorum pravo consilio, ne id faceret, impediabatur, conloquio tantum cum eo habito in loco, qui Duasdives vocatur, fratre in regnum suum remeante ille Egolisenam Aquitaniae civitatem proficiscitur et inde contractis undique copiis fugientem Hunoldum persequitur; paulumque abfuit, quin caperet." See also Einhard, *Vita Karoli*, chapters 3, 5, and 18, pp. 5–6, 7, and 22, respectively.

¹⁴ On Bertrada's efforts: Nelson, "Making a Difference," pp. 178–83. For the various interpretations of her motives, the key studies are: Jarnut, "Ein Bruderkampf," pp. 169–74 (pp. 239–44 in the reprint); Lintzel, "Karl der Grosse und Karlmann,"

However, the tensions between the brothers did not last long: By 771 Carloman was dead, Charlemagne's Lombard bride was sent back to her father, and Carloman's widow and her sons sought refuge in Italy.¹⁵ The precise order of these events, at least of the death and the repudiation, is unclear.¹⁶ We should note there is no indication that Charlemagne was responsible for his brother's death, although the fact that this bears mention is itself telling and it is unclear that our sources would reveal such information.¹⁷

With Carloman dead, most of the nobility saw the writing on the wall and embraced their new king.¹⁸ The importance of this moment cannot be overstated.¹⁹ The entire trajectory of Charlemagne's reign would have been quite different had he spent years jockeying for control with his brother.²⁰ Instead, barely three years after his father's death, Charlemagne had full access to the wealth, land, and aristocracy of the Frankish kingdom. Less than two years after this he would embark on the conquest of Italy and a dramatic expansion of the lands ruled by the Franks.²¹ In a moment, he went from being a co-king of a divided realm to the sole heir of an again unified and powerful kingdom.²² Those wary of this change fled, such as Carloman's partisan Odachar, removing what

especially pp. 9–10, 19 (pp. 16–17, 23–4 in the reprint); Delaruelle, "Charlemagne, Carloman, Didier," pp. 214–17; Ary, "The Frankish-Lombard Marriage Alliance," pp. 15–17; Nelson, "Making a Difference," pp. 178–84; Fried, *Karl der Grosse*, pp. 126–8. McKitterick, *Charlemagne*, p. 86 has recently suggested that the marriage did not in the end take place.

¹⁵ See the Royal Frankish Annals and its revision s.a. 771, pp. 32–3, including Royal Frankish Annals s.a. 771, p. 32: "Et eodem anno Carlomannus rex defunctus est in villa, quae dicitur Salmontiacus, prid. Non. Decembr." And see discussion of Nelson, "Making a Difference," pp. 182–3 on the repudiation of Charlemagne's Lombard wife.

¹⁶ Delaruelle, "Charlemagne, Carloman, Didier," pp. 221–3; Lintzel, "Karl der Grosse und Karlmann," pp. 18–21 (pp. 23–5 in the reprint); Ary, "The Frankish-Lombard Marriage Alliance," especially pp. 7–8, 25–6.

¹⁷ Delaruelle does speculate that Carloman was ill and thus that his death was expected ("Charlemagne, Carloman, Didier," p. 220), but I am not convinced by this interpretation. It is followed, however, by Ary, "The Frankish-Lombard Marriage Alliance," p. 22. On the lack of evidence for murder, see W. Hartmann, *Karl der Große*, p. 48.

¹⁸ Royal Frankish Annals s.a. 771, p. 32: "Domnus rex Carolus venit ad Corbonacum villam, ibique venientes Wilcharius archiepiscopus et Folradus capellanus cum aliis episcopis ac sacerdotibus, Warinus et Adalhardus comites cum aliis primatibus, qui fuerunt Carlomanni." On most of the nobility embracing Charlemagne: Airlie, "Charlemagne and the Aristocracy," pp. 97–8. See also account with different emphases in Krah, *Absetzungsverfahren*, pp. 9–12.

¹⁹ See also Classen, *Karl der Grosse*, pp. 13–14.

²⁰ See further Jarnut, "Ein Bruderkampf," p. 165 (p. 235 in the reprint) on the unusual character of the years Charlemagne had to share power.

²¹ Description in Einhard, *Vita Karoli*, c. 6, pp. 8–9.

²² Ganshof, "Charlemagne," p. 520 (p. 17 in the reprint).

could have been a bastion of dissent.²³ The achievements that cause us to study Charlemagne today remained far in the future. But perhaps more than anything else in the early part of the reign,²⁴ the fortuitous death of Carloman left his brother Charles with the room and resources to become Charlemagne. This was chance, but it was a chance of which Charlemagne made much.

Despite the clear advantages for Charlemagne of Carloman's death, we must admit there are several problems in analyzing the relationship. The most pressing is the lack of detailed evidence for Carloman's reign, compounded by the fact that the narrative sources we do have almost inevitably represent Charlemagne and his partisans' view of Carloman.²⁵ Most sources treat Carloman as a minor hurdle to be overcome before Charlemagne came into his full power.²⁶ Carloman was mentioned in most of the annals for the period, but that is about it.²⁷ We know of his succession and his death, and perhaps his abortive meeting with

²³ Revision of the Royal Frankish Annals s.a. 771, p. 33: "Et rex ad capiendum ex integro regnum animum intendens Carbonacum villam venit. Ibi Wilharius episcopum Sedunensem et Folradum presbyterum et alios plures sacerdotes, comites etiam atque primates fratris sui, inter quos vel praecipui fuere Warinus et Adalhardus, ad se venientes suscepit. Nam uxor eius et filii cum parte optimatum in Italiam profecti sunt; rex autem protectionem eorum in Italiam quasi supervacuum patienter tulit." On Odachar, who later rejoined the Franks and worked for Charlemagne, see Krah, *Absetzungsverfahren*, pp. 10–12, and discussion in [Chapter 2](#), p. 108.

²⁴ Compare Ganshof, "Charlemagne," p. 520 (p. 17 in the reprint), on the unpromising start to the reign.

²⁵ Roger Collins has suggested that the final version of the Continuations of Fredegar may have been intended for Carloman (*Fredegar*, p. 117). His evidence for this claim is that the Continuations say Aquitaine was shared between the brothers, a detail contradicted by all other sources and which could be seen as unfavorable to Charlemagne by placing his conduct in Aquitaine in a different light. Collins also notes that Nibelung, who patronized the last reworking of the text, may have been primarily based geographically in Carloman's part of the kingdom. To my mind, this is not enough to demonstrate partisanship in the text. More importantly, as the Continuations end with the joint coronations in 768, they do not continue long enough to provide an independent perspective on Carloman.

²⁶ For instance, Einhard, *Vita Karoli*, c. 3, pp. 5–6.

²⁷ The Royal Frankish Annals mention Carloman in the context of the famous events in 754 and again in 757 when Tassilo swore allegiance to Pippin and his sons. He is then mentioned in 768 when he succeeded to the throne, in 769 when he had an abortive meeting with Charlemagne, and in 770 when he met with Bertrada. Finally, his death in 771 is noted (pp. 12, 14–16, 28, 28, 30, and 32, respectively). The Continuations to Fredegar mention Carloman in the context of oaths sworn to King Pippin and his sons by the Gascons, and then they record his presence during his father's illness, and the joint coronations, which are the last events recorded in the text (The Continuations of Fredegar, chapters 51–4, pp. 119–21). The *Annales Mettenses priores* mimic the references in the Royal Frankish Annals, although the sons are not mentioned by name in 757 (pp. 46, 50, 55–6, 56, 57, and 57–8), and this is also true of the *Annales Tiliani* (pp. 219–20). The other minor annals do not provide much of a corrective. For example, Carloman's succession and death are noted in the *Annales Laubacenses* (pp. 12 and 13

Charlemagne in advance of the latter's campaign in Aquitaine.²⁸ This limited evidence has led Rosamond McKitterick to argue that the relationship between the brothers was largely harmonious.²⁹ While occasional cooperation cannot be ruled out, it seems to me the majority of the sources reveal dissension, not harmony. Indeed, the division between Pippin III's sons appears to have been present from virtually the moment of their joint inheritance and seems especially intractable.³⁰ The one clear moment of cooperation was a joint embassy to Rome in 769, perhaps not incidentally to a religious council.³¹ The papacy saw at least some unity among the Franks, as is evident in the pope's distressed reaction to the proposed Lombard marriage, as, despite his generally good knowledge of affairs, the pope was uncertain about the potential parties to the marriage, and saw it simply as a Frankish-Lombard alliance.³² Moreover, the coronations and, at least potentially, the early gifts

respectively), *Annales Sancti Amandi* (p. 12), *Annales Sangallenses Baluzii* (p. 63), *Annales Sanctae Columbae Senonensis* (pp. 102–3), *Annales Mosellani* (p. 496), *Annales Maximiniani* (p. 19), *Annales Iuvavenses maximi* (p. 732), *Annales Sancti Maximini Trevirensis* (p. 212), and the *Annals of Lorsch* (p. 30). *Annales Alamannici* (ed. Lendi, p. 154; SS I, p. 40), *Annales Guelferbytani* (ed. Lendi, p. 155; SS I, p. 40), *Annales Nazariani* (ed. Lendi, p. 155; SS I, p. 40), *Annales Bawarici breves* (p. 8), *Annales Sancti Amandi breves* (p. 184), *Annales Fuldenses antiquissimi* (p. 137), *Annales Sangallenses maiores* (p. 74), *Annales Sangallenses breves* (p. 64), and *Annales brevissimi Sangallenses* (p. 69) note only his death, as does the *Annales Augienses* (p. 67; misdating it to 770). The *Annales Sancti Emmerammi Ratisponensis maiores* (p. 92 or p. 735 in the re-edition) note just his succession. He is also included in the list of kings in the *Chronica de sex aetatibus mundi* (p. 256). The *Annales Petaviani* note Carloman's succession and death, but also the birth of his son Pippin in 770 and his presence with Pippin and Charlemagne in 762 (the information on the son is only in some copies; pp. 11, 13, and 16 for all the references). Of the minor annals, the *Annales Laurissenses minores/Chronicon Laurissense breve* offers one of the fullest accounts of Carloman, noting his unction in 754 (misdated to 757 in SS I), his succession, his death and under 770 a joint battle with Charlemagne in Aquitaine, which is evidently an error (SS I, pp. 116–17; pp. 28 and 30 in von Carolsfeld). This attention to Carloman may spring from the text's interest in making an argument about shared rule in the context of the plans for the Carolingian succession; for this interpretation, see Kaschke, "Fixing Dates," pp. 121–2.

²⁸ The Aquitaine meeting is noted in the Royal Frankish Annals (p. 28), the *Annales Mettenses priores* (p. 57), *Annales Tiliani* (p. 220), and in Einhard, *Vita Karoli*, c. 5, p. 7.

²⁹ McKitterick, *Charlemagne*, pp. 75–88.

³⁰ Jarnut, "Ein Bruderkampf," p. 165 (p. 235 in the reprint).

³¹ The records of the council are found in: *Conc. II*, no. 14, *Concilium Romanum*, pp. 74–92, and see Jarnut, "Ein Bruderkampf," p. 166 (p. 236 in the reprint), who also discusses the parallel coronations in this context.

³² See also Noble, *The Republic of St. Peter*, p. 121. For one example of papal reaction: *Codex Carolinus*, letter 45, p. 561: "Quae est enim, praecellentissimi filii, magni reges, talis dispendia, ut penitus vel dici liceat, quod vestra praeclara Francorum gens, quae super omnes gentes enitet, et tam splendiflua ac nobilissima regalis vestrae potentiae proles perfidiae, quod absit, ac foetentissimae Langobardorum genti polluat, quae in numero gentium nequaquam computatur, de cuius natione et leprosum genus oriri

to Saint-Denis were coordinated activities, although, as I will suggest later, we can also see the joint gifts as evidence of contestation.³³ These few moments of possible cooperation aside, however, the brothers were at loggerheads.³⁴ The contrast between Pippin III and his own brother Carloman I during their years of shared rule can provide an instructive comparison.³⁵ Prior to Carloman's retirement, we have ample evidence of the brothers working together for the governance of the realm.³⁶ Our view of Carloman I's retirement may be overly rosy, and one can overstate the extent of their cooperation, but the depth of the break between Carloman II and Charlemagne does not find precedent in the relationship of their father and uncle, despite Pippin's exclusion of Carloman's sons from the succession.³⁷

The adversarial relationship between the brothers is usually read through the prism of Charlemagne's later success, and thus suggests that Charlemagne chafed at having to deal with his brother, who saw him as a threat. Charlemagne is therefore seen as the aggressor in the situation and the one with the upper hand. Jarnut has recently challenged this vision, arguing instead that Carloman was the more assertive one.³⁸ He emphasizes in particular the import of the birth of Carloman's son, named Pippin, just like Charlemagne's oldest son.³⁹ In this naming, Carloman was advertising his son's place in the dynasty, perhaps at the expense of Charlemagne's hunchback Pippin, a less appealing candidate for rule.⁴⁰ The possibility of the pope standing as godfather to his

certum est! Nullus enim, qui mentem sanam habet, hoc vel suspicari potest, ut tales nominatissimi reges tanto detestabili atque abhominabili contagio implicentur."

³³ Jarnut, "Ein Bruderkampf," p. 166 (p. 236 in the reprint) and see further pp. 393–4. There is also a link between the kings coming to power and Saint-Denis, as the brothers assumed the kingship on feast of St. Denis, which Ulrich Nonn has noted: Nonn, "Zur Königserhebung Karls und Karlmanns."

³⁴ A point generally recognized by contemporaries; see the letter of Cathwulf, *Epistolae variorum*, no. 7, p. 502.

³⁵ There is a good basic overview of events in M. Becher, *Charlemagne*, pp. 35–7.

³⁶ This does not mean they agreed all the time; see McKitterick, *The Frankish Kingdoms*, p. 33.

³⁷ For example, on Carloman's retirement: Jarnut, "Quierzy und Rom," pp. 267–70 (pp. 203–6 in the reprint); on Charlemagne and Carloman versus their father and uncle, compare Richter, "Die 'lange Machtergreifung,'" p. 50; on Pippin's treatment of his nephews see M. Becher, "Drogo."

³⁸ Jarnut, "Ein Bruderkampf," pp. 167–74 (pp. 237–44 in the reprint).

³⁹ Jarnut, "Ein Bruderkampf," p. 168 (p. 238 in the reprint).

⁴⁰ Jarnut's interpretation here assumes that the later reports calling Pippin a hunchback are correct and not *ex post facto* justifications to explain his exclusion from power; Jarnut, "Ein Bruderkampf," pp. 168–9 (pp. 238–9 in the reprint). On place in the dynasty: See also Schieffer, "Väter und Söhne," p. 154. The first reference to Pippin as a hunchback is in Einhard, *Vita Karoli*, c. 20, p. 25, so it is at least possible that the supposed deformity was a later slander.

son further exalted his child and helped Carloman pursue his own independent relationship with the papacy, evident also in the presence and involvement of his envoy, Dodo, in the tumultuous events at Rome in these years.⁴¹ Jarnut speculates that the breach between the brothers before Charlemagne's campaign in Aquitaine was due to Carloman's request for too high a reward for helping his brother.⁴² Rather than a refusal based on weakness, Carloman thought his help was worth more than his brother was willing to pay.⁴³ Jarnut similarly interprets Bertrada's arrangement of a Lombard marriage for Charlemagne as an attempt to even out the effect of Carloman's aggression and prevent Frankish civil war.⁴⁴

Jarnut has made a contribution to the historiography by insisting on seeing Carloman as a real player: An effective and active ruler.⁴⁵ However, the evidence for Carloman as the more aggressive of the two brothers is tenuous.⁴⁶ The use of the *gratia dei rex* title, which Jarnut interprets as an act of self-assertion by Carloman, is, as I will argue later, not so much an exercise in one-upmanship, as a shared use of developing Frankish tools and ideas of rule. Carloman's naming and celebration of his son was similarly entirely in line with Frankish precedents.⁴⁷ Both Pippin III and Carloman I treated their sons as future leaders, even if Pippin III when left alone in power did not share it with his nephews.⁴⁸ The naming is evidence of Carloman's expectation that he (and his heirs) would be a real king, but that is the acceptance of the role his father gave him, not in itself an attack on Charlemagne.⁴⁹

Jarnut may go too far in attributing a directive role in events to Carloman, but he certainly helps us see that what the sources do show is

⁴¹ Jarnut, "Ein Bruderkampf," pp. 171–4 (pp. 241–4 in the reprint); Noble, *The Republic of St. Peter*, p. 123. We know about the plan for the pope to stand godfather to Carloman's son from a letter of the pope; *Codex Carolinus*, letter 47, Stephen III to Carloman, pp. 565–6.

⁴² Jarnut, "Ein Bruderkampf," p. 167 (p. 237 in the reprint).

⁴³ Jarnut, "Ein Bruderkampf," p. 167 (p. 237 in the reprint).

⁴⁴ Delaruelle, "Charlemagne, Carloman, Didier," p. 217; Ary, "The Frankish-Lombard Marriage Alliance," pp. 25–6. I borrow the idea of balance between the brothers from the characterization of Bertrada's political ends in Delaruelle, "Charlemagne, Carloman, Didier," p. 217. Jarnut's interpretation is found in Jarnut, "Ein Bruderkampf," pp. 173–4 (pp. 243–4 in the reprint).

⁴⁵ Jarnut, "Ein Bruderkampf," especially pp. 167–74 (pp. 237–44 in the reprint).

⁴⁶ Compare Jarnut, "Ein Bruderkampf," p. 169 (p. 239 in the reprint).

⁴⁷ For numerous examples of such family naming patterns, see Hlawitschka, "Die Vorfahren Karls des Grossen."

⁴⁸ M. Becher, "Drogo," pp. 151–2.

⁴⁹ See also Richter, "Die 'lange Machtergreifung'," p. 57 on Carloman's expectations.

tension and independent policies on the part of the brothers.⁵⁰ Carloman's machinations in Rome are evidence of that,⁵¹ as is his refusal to help his brother in Aquitaine. Even the pope was well aware of a split between the brothers.⁵² Bertrada's motives in dealing with her sons would merit further attention, but for now, we can say she shuttled between the two, and as far as we can ascertain, treated them both as legitimate kings. Upon her return from Italy with the Lombard princess, Bertrada appears to have been living with her older son.⁵³ This has been interpreted as evidence for her favoring of Charlemagne.⁵⁴ It is difficult to reach a firm conclusion on this point. A visit with Charlemagne and even more frequent residence with him than his brother need not in itself necessitate an estrangement from one son on behalf of the other.⁵⁵ If nothing else, she might have preferred to remain in the confines of Charlemagne's portion of the realm, where her family had deep ties, as a reflection of geographical not filial loyalty.⁵⁶ We might do best to see Bertrada's actions during the reigns of her sons as a construction of a position for herself as an influential widow, rather than as a direct response to her children.⁵⁷ On her way to Bavaria to begin the negotiations that would lead to the Lombard marriage, Bertrada stopped to talk to Carloman.⁵⁸ One source tells us she sought peace between the

⁵⁰ Letter of Cathwulf, *Epistolae variorum*, no. 7, p. 502: "Tercia, ut de fratris tui insidiis in omnibus Deus te conservavit; ut de Iacob et Esau legitur. Quarta, quod sortisti regnum cum fratri tuo Franco[rum]. [Q]uinta: non minimum est beatitudinis signum, quod Deus transtulit illum de regno ad alterum et exaltavit te super omne hoc regnum sine sanguinis effusione."

⁵¹ Noble, *The Republic of St. Peter*, pp. 121–7.

⁵² For instance, *Codex Carolinus*, letter 48, Stephen III to Bertrada and Charlemagne, pp. 566–7, here p. 566: "Cum magno dolore et gemitu cordis tribulationis atque mortis periculum, quod nobis per sequaces diaboli iam eveniebat, ecce subtilius per has nostras apostolicas syllabas a Deo consecratae religiosae vestrae atque praecellentissimae christianitatis tuae auribus intimare studemus, eo quod nefandissimus Christophorus et Sergius, nequissimus eius filius, consilium inientes cum Dodone, misso germani tui, Carlomanni regis, nos interficere insidiabant. Unde cum eodem Dodone et eius Francis, cum aliquibus eorum nequissimis consentaneis aggregantes exercitum, super nos in Lateranensium sanctum patriarchatum cum armis ingressi sunt, confringentes et ianuas atque omnes cortinas ipsius venerandi patriarchii lanceis perforantes, atque intus in basilicam domni Theodori papae, ubi nullus ausus est introire vel etiam cum cultro ingredi, cum loriceis et lanceis, ubi sedebamus, aliterunt; sicque ipsi maligni viri insidiabant nos interficere."

⁵³ Nelson, "Making a Difference," p. 180 notes the evidence on this point.

⁵⁴ Nelson, "Making a Difference," pp. 180–1.

⁵⁵ Compare Nelson, "Charlemagne—pater optimus?" p. 273.

⁵⁶ On Bertrada's family: Hlawitschka, "Die Vorfahren," p. 81, entry no. 49; M. Werner, *Adelsfamilien*, pp. 268–80; Isphording, *Prüm*, especially pp. 53–60.

⁵⁷ See Nelson's effort to tell Bertrada's story on her own terms: Nelson, "Bertrada."

⁵⁸ Royal Frankish Annals s.a. 770, p. 30; and Nelson, "Making a Difference," pp. 180–1.

brothers at this meeting.⁵⁹ Even if the plan Bertrada was putting into action had greater benefits for Charlemagne than Carloman, she clearly tried to get her second son on board.⁶⁰ If this adds up to favoritism, it distinctly does not add up to full partisanship for Charlemagne against Carloman.⁶¹ As far as I can see, the queen was trying to work with both sons, even if there are hints of a preference for Charlemagne. Perhaps the best overall evaluation we can give of relations between the brothers is that they constantly reacted against each other, but most of the time via contestation rather than cooperation.

And it is this relationship of contestation, in which both brothers were serious players, that helps us understand the true import of the years of shared power. The pressures attendant on having to deal with his brother were one factor pushing Charlemagne toward the kind of innovative, aggressive rulership that would come to define his reign. There are hints of the later independence and decisiveness in these difficult early years, and they emerged out of the need to react to his brother. The challenge of Carloman in essence helped make his brother Charles into Charlemagne.

The impact of the relationship emerges from a careful look at the charter evidence, which provides clear testimony to the active rule of both brothers. Yet, a close examination of the charters of Carloman II and Pippin III, in comparison with the charters of Charlemagne during the first three years of his rule, underscores the similar tools of rulership the brothers inherited from their father, but also reveals some early hints of Charlemagne's innovative and independent style of rulership. Carloman gave twelve surviving charters during his reign, the first in January of 769, and the last just before his death, in December of 771.⁶²

⁵⁹ Revision of the Royal Frankish Annals s.a. 770, p. 31.

⁶⁰ On greater benefits for Charlemagne: Lintzel, "Karl der Grosse und Karlmann," pp. 7–17 (pp. 14–22 in the reprint) and Classen, *Karl der Grosse*, pp. 12–13; for the overall interpretation, compare the argument here to Lintzel, "Karl der Grosse und Karlmann," pp. 7–8 (pp. 14–15 in the reprint).

⁶¹ Compare Nelson, "Making a Difference," pp. 180–1.

⁶² Carloman's grants are nos. 43–54, given during the three years of Carloman's reign. They will be cited as DCarloman and number. The first grant is no. 43 given at Samoussy to Saint-Denis. The last dated grant is no. 53, again given at Samoussy to Saint-Denis, although grant no. 54 cannot be securely dated. We may also have lost grants given by Carloman, such as the grant given to Reims mentioned by Hincmar and discussed in Mordek, "Ein exemplarischer Rechtsstreit," pp. 86–7 (pp. 279–80 in the reprint). See Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, p. 866, and Nelson, "Carolingian Royal Funerals," pp. 143–5, on this lost material for Reims. See also Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs, deperdita*, no. 561, p. 871 for a possible lost grant to the diocese of Utrecht. Six of Carloman's grants survive in the original, as follows: DCarloman 43 (ChLA 15, no. 605); DCarloman 44 (ChLA 15, no. 606); DCarloman 45 (ChLA 19, no. 675); DCarloman 46 (ChLA 15, no. 607); DCarloman 47 (ChLA 47, no. 1464); DCarloman 49 (ChLA 17, no. 658).

Of these twelve grants, eleven were given to monastic institutions and one to Carloman's count of the palace.⁶³ This latter grant is unusual both because grants to individuals are rare and because Charlemagne did not typically use charters to "buy" individual loyalty (although many other medieval rulers did).⁶⁴ Undoubtedly, such grants to laymen are less likely to survive than grants to ecclesiastical institutions.⁶⁵ Nonetheless, we have over 160 surviving charters from Charlemagne and very few were given to ensure the loyalty of a layman.⁶⁶ This one gift aside, Carloman gave his other charters to monastic institutions, just as Pippin III usually

⁶³ To Saint-Denis (nos. 43 [ChLA 15, no. 605], 44 [ChLA 15, no. 606], 46 [ChLA 15, no. 607], 53); Münster (no. 45 [ChLA 19, no. 675]); Novalesa (nos. 47 [ChLA 47, no. 1464] and 52); Echternach (no. 48); Argenteuil (no. 49 [ChLA 17, no. 658]); Honau (no. 50); Granfelden (no. 54). The grant to one individual is grant no. 51 to Chrodoinus.

⁶⁴ Charters to individuals may be the least likely kind of charter to survive, but there is no reason to think that Charlemagne's charters to individuals would survive less well than those of other Carolingians. Indeed, if anything, one would expect his fame to increase the preservation of his charters, a point buttressed by the number of forgeries attributed to him (on which, see Hägermann, "Die Urkundenfälschungen"; do note I do not in all cases agree with his designations of charters as genuine or forged). For a consideration of Charlemagne's grants to lay recipients, many of them individuals, in comparison to other German rulers, see Merta, "Laien als Empfänger." It has recently been argued that charters for lay people were less common than historians have assumed: Koziol, *The Politics of Memory and Identity*, for instance, pp. 183–7. Nonetheless, Charlemagne did issue less of these kinds of grants than many other early medieval kings.

⁶⁵ McKitterick, *The Carolingians and the Written Word*, pp. 77–8.

⁶⁶ Of Charlemagne's 164 surviving charters, only ten were given to individuals: DK nos. 69 (ChLA 2, no. 158), 112, 115 (ChLA 12, no. 540), 179 (also edited in: *Catalunya Carolingia*, ed. d'Abadal I de Vinyals, vol. II, document 1, pp. 310–11), 181 (ChLA 16, no. 637), 187, 208, 209, 213, 218; of these nos. 115, 179, 181, 187, 208, 209, 213, and 218 were given to lay people, but of these lay grants all except 115 and 179 are restorations of confiscated property to those who had been disloyal or to the children of the disloyal, largely linked to the conquest of Italy and Saxony. Of the two lay charters that did not involve problematic lands, no. 115 gave freedom to a slave woman and no. 179 rewarded a man John on the recommendation of Louis the Pious as king of Aquitaine for military achievement. No. 112, to a cleric (Paulinus), is also a grant of confiscated property (Merta, "Laien als Empfänger," p. 248, notes that we cannot be sure Paulinus was a cleric when he got his gift, but she, and I, think this highly likely). Other charters specifically single out the leader of an ecclesiastical institution as the recipient of a grant. As the lands and rights bestowed in such charters tend to adhere to the institution, I have not treated them as individual gifts. Compare the figures given by Merta, "Laien als Empfänger," pp. 247–9, who is interested in all grants to lay people, regardless of whether they are to an individual or not, and considers too dispute cases, mandates, and exchanges involving lay people. She thus considers DK 132 to the people of Comacchio, DK 216 settling a dispute between two laymen, DK 217 (also edited in *Catalunya Carolingia*, ed. d'Abadal I de Vinyals, vol. II, document 2, pp. 313–14) correcting the men who abused the holders of *aprisio* grants in Spain, and DK 206 where Charlemagne confirms an agreement between two parties, one of whom was lay (with extensive discussion of whether both parties would have received a copy of the charter). She also includes DK 78 (ChLA 1, no. 3) to Chur, arguing that it is directed to the bishop as part of a treaty. As noted earlier, I treat all grants to ecclesiastical institutions that single out the leader of said institution as monastic or

did.⁶⁷ Of the monastic charters, four went to Saint-Denis, and two to Novalesa.⁶⁸ Carloman bestowed the remaining five grants on individual monastic houses. The accumulation of charters to favorite ecclesiastical institutions and the particular emphasis on Saint-Denis are both in line with Pippin's approach to monastic giving.⁶⁹

When we turn to Charlemagne's charters from the same period, we can see some common trends. In the years 768–71 Charlemagne gave nine surviving grants, of which eight went to monasteries (one of these is a dispute settlement in favor of a monastery).⁷⁰ The ninth grant was to the church of Utrecht.⁷¹ The first grant Charlemagne gave was seemingly coordinated with his brother: Both gave gifts (Carloman two, Charlemagne just one) in January of 769 to Saint-Denis, a house favored by their father and famous for its patron saint (and its surviving archive).⁷² During these

episcopal grants, as appropriate; for the grant to Comacchio as an episcopal charter, see [Chapter 4, Note 199](#).

⁶⁷ See list of recipients of Carloman's charters in [Note 63](#). Of Pippin III's thirty surviving charters (cited as DP), grants nos. 1, 2, 3, 6 (ChLA 15, no. 598), 7, 8 (ChLA 15, no. 599), 9, 10, 11, 12 (ChLA 15, no. 600), 13 (ChLA 12, no. 529), 14, 15, 16, 17, 18, 19, 21 (ChLA 12, no. 530), 22, 23, 24, 25, 26 (ChLA 15, no. 604), 28 (ChLA 15, no. 603), 29, and 30 were given to ten monastic institutions; grants nos. 4, 5, and 20 were given to two churches; and one grant (no. 27; ChLA 15, no. 602) was given to Abbot Fulrad as an individual. DP 1 and 12 are dispute settlements resolved in favor of Saint-Denis.

⁶⁸ To Saint-Denis: DCarloman nos. 43 (ChLA 15, no. 605), 44 (ChLA 15, no. 606), 46 (ChLA 15, no. 607), 53; and to Novalesa: diplomas nos. 47 (ChLA 47, no. 1464) and 52.

⁶⁹ Ten of Pippin's thirty charters are grants to Saint-Denis, namely, nos. 1, 6 (ChLA 15, no. 598), 7, 8 (ChLA 15, no. 599), 12 (ChLA 15, no. 600), 22, 23, 25, 26 (ChLA 15, no. 604), 28 (ChLA 15, no. 603). In addition to Saint-Denis, Pippin gave multiple grants to the following institutions: Prüm: nos. 3, 15, 16, 18, 19; Saint-Calais: nos. 2, 14; Fulda: nos. 13 (ChLA 12, no. 529), 21 (ChLA 12, no. 530); Honau: nos. 10, 11; Utrecht: nos. 4, 5. The only non-monastic institution on this list is Utrecht. There is a similar focus on particular institutions in Charlemagne's charters overall, but we must note that this is not true for the charters for the first few years.

⁷⁰ Grants DK nos. 55–63 can be securely dated to the first three years of Charlemagne's reign. Charlemagne's monastic grants for the first three years of his reign are: Saint-Denis (DK 55; ChLA 15, no. 608); Corbie (DK 57); Saint-Aubin, Angers (DK 58); Saint-Bertin (DK 59); Saint-Étienne, Angers (DK 60); Saint-Maur des Fossés (DK 61; ChLA 15, no. 610); Saint-Calais (DK 62); Abbot Sturm and Fulda, as beneficiaries of a dispute settlement (DK 63). On the early grants, see also Hägermann, *Karl der Große*, p. 106.

⁷¹ This is DK no. 56, which confirms a grant of tithes made to the church of Utrecht.

⁷² Carloman's grant nos. 43 and 44 and Charlemagne's grant no. 55 (ChLA 15, nos. 605, 606, and 608, respectively). See [Note 69](#) on Pippin's grants. On St. Denis as a patron saint, see, for example, Carloman's grant no. 43, p. 62, cited from ChLA 15, no. 605: "Igitur cognoscat utilitas seu magnitudo uestra, uenerabilis uir Fulradus, abba de basilica peculiaris patronis nostri sancti Dionisiy, ubi ipse preciosus domnus cum sociis suis corpore requiescere uidetur uel ipse abba una cum turba plurima monachorum in ipso cenubio degegere uidetur uel dominum militare noscuntur,

early years, Charlemagne only gave one grant to each institution that received a gift from him, although he did give charters to two different monasteries in the city of Angers.⁷³ The first gift to Saint-Denis, and the monastic emphasis of the gifts are approaches to rule Charlemagne shared with both his father and his brother.⁷⁴ When Carloman and Charles ascended to the kingship, they did so with equal access to the tools and ideas of their father.⁷⁵ However, as we will see, Charlemagne showed early signs of departing from the Pippinid model of rulership in ways his brother did not.

Another aspect of the brothers' charters has attracted attention, namely, the use of the *gratia dei rex* title for the king.⁷⁶ Pippin's charters use the designation "*rex Francorum vir inluster*."⁷⁷ For his first two charters, both in January of 769, Carloman used this same title.⁷⁸ From his third charter, Carloman employed the formula *gratia dei rex Francorum*; this title perhaps first appeared in a charter of his brother (there are two charters that use this for Pippin; in one case, the title seems to be a later interpolation, in the other the dating of the surviving copy has been disputed).⁷⁹ It has been argued that the adoption of this title by Carloman was a slap in the face to Charlemagne, a declaration of

missa petitione nobis suggesserunt, eo quod bene memoriae domnus et genitor Pippinus, quondam rex, uel ceteri antecessores, qui ante ipsum uel nos gubernacula regni Francorum tenuerunt, per eorum oraculis eorumque manus roboratas tale beneficium ad casa sancti Dionisi concesserunt ...” On the Saint-Denis archive, see Ganz and Goffart, “Charters Earlier than 800.”

⁷³ Grants in Angers, namely, DK 58 to Saint-Aubin and DK 60 to Saint-Étienne.

⁷⁴ On first grants: No. 1 for Pippin; grant no. 43 (ChLA 15, no. 605) for Carloman, and DK no. 55 (ChLA, no. 608) for Charlemagne. Of Charlemagne's 164 surviving grants 114 were given to monasteries, that is, approximately 70 percent of the charters of Charlemagne are monastic gifts. See also [Chapter 4](#), pp. 216–29 for the place of monasteries and bishoprics in Charlemagne's granting patterns.

⁷⁵ See also McKitterick, *Charlemagne*, pp. 81–2, emphasizing similar political behavior of Charlemagne and Carloman.

⁷⁶ On the development of this title see Wolfram, *Intitulatio I*, pp. 213–17.

⁷⁷ See, for example, Pippin's charter no. 27, p. 37: “Pippinus rex Francorum vir inluster omnibus episcopis abbatibus seu comitibus vel proceribus nostris atque missis a palatio nostro ubique discurrentibus.” The use of this title in the royal entitulation was a Carolingian innovation. Nonetheless, Charlemagne and Carloman's use of it evokes Frankish, albeit recent Frankish, tradition. See now the discussion in Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 1.

⁷⁸ Charters nos. 43 and 44 (ChLA 15, no. 605 and 606), both grants to Saint-Denis, and both of which survive in the original.

⁷⁹ All of Carloman's ten remaining charters, nos. 45–54, use the *dei gratia rex* title. Charlemagne's first charter, a grant to Saint-Denis in January, 769, is the first unproblematic use of the *dei gratia rex* title; DK no. 55 (p. 81; ChLA 15, no. 608). The problematic Pippin charters are diplomas nos. 24 and 28 (ChLA 15, no. 603), with discussion in the introductions (pp. 33 and 39) and Wolfram, *Intitulatio*, as in [Note 76](#). The ChLA presents grant no. 28 as an original, while the MGH considers it a later copy.

Carloman's ambition and his unwillingness to be sidestepped.⁸⁰ I contend that the use of these titles might be better understood in the overall context of a shared inheritance of the brothers, particularly if Pippin had in fact employed the title. Charlemagne did use the title before Carloman, but he did not employ it consistently in his early charters.⁸¹ Of course, part of the problem here may be issues of transmission, but it does appear that the early use of the title in Charlemagne's documents was irregular, which is generally true of Charlemagne's entitulation.⁸² I have no doubt that Carloman meant to be taken as seriously as his brother, but it seems to me that the use of this title is another way in which we see the brothers in these early months of shared kingship using in some similar ways the common tools of rulership they had jointly inherited.

However, while the brothers may have had access to some similar tools, they also were capable of using these against each other, as when the brothers gave grants contesting borders. For example, Carloman gave a grant to Echternach, which might have been in Charlemagne's part of the kingdom.⁸³ A similar gift is Charlemagne's grant of land to Saint-Denis,⁸⁴ which can also be seen as an effort to maintain ties to Saint-Denis' influential abbot, Fulrad. The difficulty of this argument about charters on borders is that we do not know the precise boundaries of the kingdoms of the respective brothers, and indeed, Rosamond McKitterick has suggested that there was no such exact division.⁸⁵ If the boundaries were not in fact fully determined, we can see the charters as a way of the brothers' attempting to assure loyalty from important ecclesiastical institutions as they bumped up against each other, each trying to assert his authority. However, given that places like Echternach and Saint-Denis had long been favored by the Carolingian house, it is possible to interpret the gifts as another case of the brothers acting out a shared tradition of rulership and family connections, as McKitterick has pointed out.⁸⁶ On the other hand, if the borders were rather clearer, these gifts, while still drawing on family tradition, appear as more contentious acts. The gifts near the probable borders thus indicate common resources shared by the brothers,

⁸⁰ Jarnut, "Ein Bruderkampf," p. 167 (p. 237 in the reprint).

⁸¹ For example, DK no. 57, p. 83, is entitled: "Karolus rex Francorum vir inluster."

⁸² Wolfram, *Intitulatio I*, pp. 206–44; Classen, "Romanum gubernans imperium."

⁸³ DCarloman 48, and comments of McKitterick, *Charlemagne*, p. 82.

⁸⁴ DK 55 (ChLA 15, no. 608), with discussion of McKitterick, *Charlemagne*, p. 82 and Fried, *Karl der Grosse*, p. 275.

⁸⁵ McKitterick, *Charlemagne*, p. 77 suggests that there was no precise division, just a loose shared rule.

⁸⁶ Both houses had been favored by Pippin: For Saint-Denis see [Note 69](#), and for Echternach, DP 30.

but also at least hint at some of the tensions of shared rule.⁸⁷ Once his brother was dead, and Charlemagne firmly ensconced as sole king of the Franks, he used charters to assure the loyalty of institutions previously in Carloman's realm, such as Novalesa,⁸⁸ or those near borders between the brothers, such as Lorsch.⁸⁹ The use of charters to smooth the incorporation of his brother's realm is a sign too of the speed with which Charlemagne sought to make good his new power, by firmly taking over the landed resources of the religious institutions in Carloman's half of the kingdom.⁹⁰

Despite the common traditions of gift giving observed earlier, and the possibility of coordinated gifts, there were some notable differences in the approach to grant giving adopted by the two brothers.⁹¹ These differences provide some early signs of features of rulership that would define Charlemagne's rule. The clearest difference is the extent to which Charlemagne's gifts were spread out rather than focused on one institution.⁹² Certainly, focused giving had been Pippin's approach, and is also found in the granting patterns of the Lombard kings.⁹³ Nonetheless, from the beginning, Charlemagne seemed less inclined to direct his gift giving that narrowly, although he still paid heed to the powerful house of Saint-Denis (which would receive many more grants over the course of the reign) and favored monastic institutions.⁹⁴

⁸⁷ My student, P. Wes Bush, is working on a PhD dissertation examining Carolingian royal charters that cross borders.

⁸⁸ DK nos. 74 and 125. The first grant was in 773, shortly after Carloman's death, but the later grant is several years later.

⁸⁹ The early Lorsch charters are: DK nos. 65, 67, 72, 73. For Charlemagne's treatment of Lorsch, see further [Chapter 4](#), pp. 176–8.

⁹⁰ I would like to thank Jinty Nelson for her advice on this point.

⁹¹ Compare McKitterick, *Charlemagne*, p. 82, who argues for essentially identical approaches to gift giving by Charlemagne and Carloman. One could also make an argument about Charlemagne's diplomatic innovations in terms of the layout and graphical elements of the charters. For some interesting observations on this issue, see Garipzanov, "Metamorphoses of the Early Medieval *signum*," pp. 431–9.

⁹² This is evident, for example, in Charlemagne's monastic grants. See [Chapter 4](#), pp. 216–29 for full figures.

⁹³ Pippin gave multiple grants to six institutions (see [Note 69](#) for details): The other grants were given to institutions or people who received just one grant, including Nantua: No. 9; Murbach: No. 17; Worms: No. 20; Saint-Hilaire, Poitiers: No. 24; Corbie: No. 29; Echternach: No. 30; Fulrad: No. 27 (ChLA 15, no. 602). All of the surviving charters of Desiderius are monastic; the Lombard royal charters are edited in CDL III.I; the genuine charters of Desiderius are numbers 31, 33, 35–44; the earlier Lombards did not focus on monasteries exclusively, but still gave many grants to monasteries. These grants by Pippin and the Lombard kings do not reveal the kind of patterns of varied giving evident in Charlemagne's charters; see further [Chapter 4](#), pp. 216–29.

⁹⁴ Charlemagne's grants to Saint-Denis, over the entirety of his reign, are: DK nos. 55 (ChLA 15, no. 608), 83 (ChLA 16, no. 627), 84 (ChLA 15, nos. 613 and 614), 87, 88 (ChLA 16, no. 621), 92 (ChLA 15, no. 615), 93, 94 (ChLA 15, nos. 616 and 617), 101

We may also see hints in these early grants of Charlemagne's relatively restrained use of charters. Given his great fame and thus the fact that his charters were more likely to be kept, he gave a fairly small number of charters, as a comparison of his grants to those of other Carolingians quickly reveals.⁹⁵ It may thus not be an accident that he gave only nine charters in his first years compared to Carloman's twelve. The grant to Utrecht can similarly be seen as a first sign of the importance that episcopal grants would assume for Charlemagne.⁹⁶ Similarly, the settlement of a dispute by charter in these first years hints at the later attention to dispute settlement, a practice for which Pippin's, and indeed earlier charters, did offer a precedent.⁹⁷ The early charters provide a limited evidence base, but they do suggest the roots of later, unusual trends in Charlemagne's giving of charters, namely, his relatively restrained use of the charter as a tool of rulership, his preference to spread out his giving fairly widely while maintaining some special focus on institutions he had long-standing ties to, his interest in giving charters to bishoprics, use of many kinds of charters, and the careful manipulation of gifts all of this suggests.⁹⁸ At the least, the charters offer fleeting indications of the independence that would become so characteristic of Charlemagne's reign, which emerged in the context of the challenge posed by his younger brother. As the reign continued, these different patterns of giving charters would become more pronounced.

(ChLA 15, no. 618), 107 (ChLA 16, no. 620), 118 (ChLA 19, no. 679), 120 (ChLA 16, no. 626), 166 (ChLA 16, no. 631), 190. The survival of grants to Saint-Denis is of course shaped by the survival of the Saint-Denis archive, but the interest of the Carolingians in this house is clear. On charter preservation at Saint-Denis see Ganz and Goffart, "Charters Earlier than 800," especially pp. 912–14. See Note 234 in Chapter 4 for a full list of monastic recipients of Charlemagne's grants.

⁹⁵ Overview in: Bautier, "La chancellerie," pp. 6–8 (pp. 462–4 in the reprint). On the relative paucity of Charlemagne's charters, see Nelson, "The Settings of the Gift," pp. 118–9 and W. Hartmann, *Karl der Große*, p. 20.

⁹⁶ It is possible that some of Carloman's lost grants were to bishops (see Note 62). If this is true, it lessens the contrast with the early charters of Charlemagne in terms of treatment of bishoprics. Charlemagne's patronage of bishoprics did find some precedent in the gifts of his father (see Notes 69 and 93), but Pippin, who gave grants only to the dioceses of Utrecht and Worms, did not use episcopal grants as widely or as strategically as Charlemagne. See further Chapter 4, p. 227, which suggested that the prominence of Italian bishops encouraged patronage of bishops both North and South of the Alps. This Italian experience could have had an impact because of the king's pre-existing willingness to favor bishops, which we see reflected in this early grant.

⁹⁷ DK 63. For Pippin's settlement of disputes, see Note 67 and for the issue generally, see discussion in J.R. Davis, "Charlemagne's Settlement of Disputes."

⁹⁸ The *deperdita* do not offer strong evidence to undermine these patterns. *Deperdita* are listed in Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, pp. 839–73.

The differences in how the brothers gave charters are subtle, but they are there and they show the origin of patterns that would become more striking in the later charters. The charters, which have the advantage of allowing us to really see Carloman as a serious, independent ruler, also allow us to see how early Charlemagne broke from the model of his father in a way his brother did not. Charlemagne used charters more sparingly while also distributing them to a broader range of institutions, and deployed the tool of the charter in a targeted manner, a tendency that would be most obvious in his later gifts in Italy. Some of these innovations may stem from an innate independence and openness to change. Much of it, however, shows signs of reacting against Carloman. The end result was that the challenge of his brother pushed Charlemagne toward innovation, perhaps toward innovation he would have embraced in any case. Carloman's death was an essential moment in Charlemagne's reign because it left the field open for him. Arguably even more important was the impact Carloman had on Charlemagne while he was alive, as one prod to the innovative and independent rule that would hold together his empire.

The consistency of royal goals

The evidence for the early years of the reign is limited, but provides at least some ground for arguing that the roots of the kind of ruler Charlemagne would become were apparent from his first months as a king of the Franks. The start of this Chapter and the last together have sought to argue that while there was a serious shift toward governance around 790, the main tools of rulership were fairly consistent. If these tools were indeed typically employed, to what ends? What were the main goals of rulership that Charlemagne and his men pursued in a sustained, if never systematic, manner? That is, if Charlemagne and his men followed at least a relatively clear set of ideals, what did this direction consist of? Despite the variability of Charlemagne's rule, we can discover several guiding ideas that shaped royal exercise of power, namely, the emphasis on salvation, on community, on royal dominance, and on the reworking of power relations. Despite the erratic implementation of these ideas, the ideas themselves were quite consistent, at least from around 789. This is not to discount changes in emphasis and reflections of the various circumstances in which the king and court found themselves, but it does imply an essential continuity in the tasks and vision of rulership. I will look briefly at these factors of continuity before we turn to moments of contingency, and to interruptions in continuity.

Salvation

The most basic and consistent idea of Charlemagne's governance was the need to achieve salvation for the king and his people.⁹⁹ This became a common structuring idea of early medieval rulership, one which Charlemagne helped familiarize.¹⁰⁰ The salvation in question encompassed the king and his people, not just the king and his family, or the king and army, or so on.¹⁰¹ This focus on salvation provided the basic framework for Charlemagne's governance.¹⁰² We can see it fully only from 789 on, but for the rest of the reign this remained *the* guiding idea of Carolingian rule, and indeed was passed on to Charlemagne's successors.¹⁰³ The purpose of Charlemagne's rulership, in essence, was to ensure the salvation of the king and his empire, a goal constantly evident in the sources from the reign.¹⁰⁴ This does not mean that there was no nuance in this religious

⁹⁹ See, for example: *Capit.* I, no. 22, introduction, pp. 53–4, c. 60, p. 57, c. 82, pp. 61–2 (also ed. *AG*, introduction, pp. 180–4, introduction to part two of the capitulary, pp. 208–10, and c. 80, pp. 234–8); *Capit.* I, no. 33, c. 14 and c. 17, pp. 94–5, c. 27, p. 96, c. 40, pp. 98–9 (chapter 14 is re-edited in Mordek, “Quod si se non emendent, excommunicantur,” p. 180); *Capit.* I, no. 60, c. 4, p. 147; *Capit.* I, no. 85, introduction, c. 2, pp. 183–4 (also ed. Eckhardt, *Die Kapitulariensammlung*, pp. 99–101); *Capit.* I, no. 103, p. 212, lines 8–9; *Capit.* I, no. 121, entire, pp. 239–40; *Caroli Magni capitulare ecclesiasticum*, c. 43 (ed. Mordek, *Bibliotheca*, p. 989).

¹⁰⁰ For this idea in early medieval thought see Ewig, “Zum christlichen Königsgedanken.” On what marks out the Carolingian interpretation: G. Brown, “Introduction: The Carolingian Renaissance,” p. 6.

¹⁰¹ Salvation for the king and people: *Capit.* I, no. 60, c. 4, p. 147. The royal family is, however, singled out for special mention; for example see a grant to the monastery of Charroux, DK 194, p. 261: “quatenus melius delectet ipsos servos dei, qui ibidem deo famulari videntur, pro nobis uxoreque ac liberis nostris attentius domini misericordiam exorare.” On salvation for the king and the army, as in prayers offered for king and army; see McCormick, *Eternal Victory*, pp. 352–6. There is also special attention to the well-being of the realm as a whole, for example, DK 176, p. 237, and ChLA 12, no. 541, which I cite here: “Quicquid enim ob amorem dei locis sanctorum venerabilium benivola deliberatione cedimus vel condonamus, hoc nobis ad mercedem animae seu stabilitatem regni nostri pertinere credimus.”

¹⁰² See also Nelson, “Kingship and Empire,” p. 58, making a point about the Carolingians generally, not just Charlemagne in particular.

¹⁰³ On chronology of this idea, compare Mayr-Harting, “Charlemagne's Religion,” p. 124. For a late example, see *Caroli Magni capitulare ecclesiasticum*, c. 43 (ed. Mordek, *Bibliotheca*, p. 989). Idea passed on to the king's successors: G. Brown, “Introduction: The Carolingian Renaissance,” p. 6.

¹⁰⁴ Perhaps most clearly expressed in *Capit.* I, no. 33, c. 40, pp. 98–9: “Novissime igitur ex omnibus decretis nostris nosse cupimus in universo regno nostro per missos nostros nunc directos, sive inter ecclesiasticos viros, episcopos, abbates, presbiteros, diaconus [sic], canonicos, omnes monachos sive sanctimoniales, qualiter unusquisque in suum ministerium vel professione nostrum bannum vel decretum habeat conservatum, vel ubi civibus ex his dignum sit ex bona voluntate sua gratias agere vel adiutoria impendere vel ubi aliquid adhuc sit necessitatis emendare. Simili autem laicos et in omnibus ubicumque locis, si de mundeburde sanctorum ecclesiarum vel etiam viduarum et orphanorum seu minimum potentium adque rapina necnon de exercitali placito

structure of governance.¹⁰⁵ For example, it can be argued that Charlemagne grew more concerned about his own salvation toward the end of the reign, although the fundamental concerns are present earlier.¹⁰⁶ In sum, the vision of religious structure of governance espoused by the king and his advisers, or at least evident in their approach to rule, was a major source of consistency during the reign.¹⁰⁷ It is a vision that was predicated on salvation for the community, an emphasis we will address further in a moment, headed by the king, with variable actions toward these ends.¹⁰⁸ But while the variable actions shaped how Charlemagne responded to problems, they do not detract from the existence of a framework of religious goals that remained consistent at least from 789 on, and with some possible expressions even earlier.¹⁰⁹

These comments on the importance of salvation in shaping Charlemagne's political practice might be made equally appropriately for any number of early medieval rulers. There are two features of the interest in salvation at Charlemagne's court that are more distinctive. The first of these is the particular intrusiveness of Charlemagne's interests, which we have already encountered several times. This was a king who thought he could legislate about belief.¹¹⁰ The second defining feature of the focus on salvation at Charlemagne's court is the conceptualization of the issue as a communal project. According to the king and his men, all must collaborate and do their own parts in order to assure the salvation of all.¹¹¹ These

instituto, et super ipsis causis, qualiter preceptum vel voluntate nostrae sint obhediens, vel etiam qualiter bannum nostrum habeat conservatum, qualiterque super omnia unusquisque certamen habeat in sancto servitio Deo seipsum custodire: ut hec omnia bona et bene sint ad Dei omnipotentis laudem, et gratias referemus, ubi dignum est; ubi autem aliquid inultum esse credimus, sic ad emendandum omne studio et voluntate certamen habeamus, ut cum Dei adiutorio hoc ad emendationem perducamus et ad nostra eterna mercedem et omnium fidelium nostrum. Similiter et de comitibus vel centenariis, ministerialibus nostris, inter nos omnia supradicta nosse cupimus feliciter."

¹⁰⁵ For the variant emphases at different points, see de Clercq, *La législation religieuse*, pp. 156–249.

¹⁰⁶ This is the argument of Nelson, "The Voice of Charlemagne."

¹⁰⁷ G. Brown, "Introduction: The Carolingian Renaissance," p. 23.

¹⁰⁸ For the language of community, see, for instance: *Capit.* I, no. 64, c. 17, p. 153: "De vulgari populo, ut unusquisque suos iuniores dstringat, ut melius ac melius oboediant et consentiant mandatis et praeceptis imperialibus."

¹⁰⁹ For example of an early expression: *Capit.* I, no. 20, c. 1, p. 47. On a consistent framework: McKitterick, *The Frankish Church*, pp. 1–10.

¹¹⁰ *Capit.* I, no. 71, c. 9, p. 161: "Quod nobis despiciendum est, utrum vere christiani sumus. Quod in consideratione vitae vel morum nostrorum facillime cognosci potest, si diligenter conversationem coram discutere voluerimus."

¹¹¹ *Capit.* I, no. 33, pp. 91–9, and analysis in Ganshof, "Charlemagne's Programme of Imperial Government." See also: *Capit.* I, no. 121, p. 240, lines 25–32: "Quanto magis faciamus omnes cum adiutorio, ut cum Deo placere possit in omnibus operibus nostris

deep concerns about salvation and the effort to achieve it through intrusive legislation and insistence on communal action mark out Charlemagne's original contributions to a common Christian conception of rulership shared by many early medieval polities.

Royal dominance

The second aspect of royal governance that remained a clear source of consistency despite the vagaries of Charlemagne's long and eventful reign was the attachment to the king and the force of royal dominance, by which I mean the focusing of political power on the king himself. There are a few points we need to underline here about how this royal dominance provided a source of consistency during the reign.¹¹² First of all, the consistency derived from royal dominance does not at all mean that the pragmatic approaches to dominance pursued by king and court were consistent. In addition to the phenomenon we examined in [Chapter 1](#) of the king preferring to pursue several approaches to the same problem at once, royal dominance was sometimes enforced through the very irregularity of royal power. For instance, in our consideration of Charlemagne's efforts at judicial regulation, I argued that the very uncertainty about precisely how or when the king might intervene could enforce his dominance more effectively than stronger efforts at full control over all judicial matters, a control he, in practice, could not fully manage.¹¹³ The dominance may have been consistent, but its implementation was anything but.¹¹⁴ Second, this dominance marked several areas of political life, whether it be the emphasis on the king to the exclusion of individual aristocrats in historical sources, the focus on the king as the military leader of the Franks, or the king's role in distributing patronage.¹¹⁵ Thus, we can argue that the dominance was consistent,

et post hac vita presentem guadere mereamur cum sanctis Dei in eternum. Brebis est ista vita, et incertum est tempus mortis; quid aliut agendum est, nisi ut semper parati sumus? Cogitemus quam terribilis est incidere in manu Dei. Cum confessione et penitentia et elemosinis, misericors est Dominus et clemens; si viderit nos ex tota corde ad se convertere, statim miserebitur nostris, ut possent nobis misericordiam suam, et concede nobis ista vita prospera et futura cum sanctis suis in eternum."

¹¹² See also Wallace-Hadrill, *Early Germanic Kingship*, p. 108.

¹¹³ See [Chapter 2](#), p. 166.

¹¹⁴ For some similar comments on consistent judicial reform, with inconsistent implementation, see Ganshof, "The Impact of Charlemagne," pp. 61–2 (p. 152 in the reprint).

¹¹⁵ It is a marked feature of narrative sources composed during the reign of Charlemagne that individual aristocrats are rarely assigned a scope for independent action. See further discussion in [Chapter 4](#), [Note 109](#). On the king as the military leader: Ganshof, *Frankish Institutions*, p. 59. And for one literary example, see the Royal Frankish

but it was variable in implementation and in the areas in which it manifested itself.

Moreover, the king maintained this dominance despite interruptions, most notably by the three main revolts of the reign.¹¹⁶ But as our analysis of these moments of dissent showed, revolt was contained, infrequent, and absent largely for the second half of the reign. We should not underestimate the fact that it was around the years when we first see Charlemagne fully governing that the last revolt happened and was crushed.¹¹⁷ The chronological congruence suggests that there is a connection between more forceful rule and limits on revolt. From 793 on, Charlemagne may have encountered challenges, but he faced no outright rebellion.¹¹⁸ Despite the continued existence of possible triggers for revolt stemming from intrusive governance and persistent structural problems in the empire, Charlemagne's rule offered sufficient incentives and threats of retaliation to discourage further revolt. In speaking of Charlemagne's dominance of his political world, we need to note not just the control and coercion displayed by the king and his advisers, but the extent to which Charlemagne was able to encourage and benefit from faithful and indeed often enthusiastic service.¹¹⁹ The king's insistence on his own power was blatant and pervasive.¹²⁰ But most of the time, those he ruled, to the extent we can see them in the sources, responded positively to this power. In considering dominance as an aspect of consistency in Charlemagne's reign, we also need to note the variable implementation, and the extent to which the king managed to convince the aristocracy, and possibly more of the population, that his own power was a good thing, and moreover something in which they could participate.¹²¹

Annals s.a. 779, pp. 52–4. On patronage: For instance, Garrison, "The Emergence of Carolingian Latin Literature," p. 117; McKitterick, "Royal Patronage of Culture."

¹¹⁶ See full discussion in Chapter 3, pp. 135–57.

¹¹⁷ The overlap here is also emphasized in the approach of Nelson, "The Siting of the Council," *passim*.

¹¹⁸ Airlie, "Charlemagne and the Aristocracy," pp. 100–1.

¹¹⁹ See, for example, on dominating the political world: *Caroli Magni capitulare generale*, c. 40 (ed. Mordek, *Bibliotheca*, p. 994). On control and coercion by the king and his advisers: *Capit.* I, no. 85, c. 1, p. 184 (also ed. Eckhardt, *Die Kapitulariensammlung*, p. 100). On enthusiastic service: Airlie, "Charlemagne and the Aristocracy," p. 91.

¹²⁰ For example, see *Capit.* I, no. 49, c. 1, p. 135: "Volumus atque iubemus, ut comites nostri propter venationem et alia ioca placita sua non dimittant nec ea minuta faciant, sed ad exemplum quod nos cum illis placitare solemus, sic et illi cum suis subiectis placent et iustitias faciant. Et de singulis capitulis quae eis praecepimus per semetipsos considerare studeant, ut nihil praetermittatur ab eis quae vel infra patriam vel foras patriam in hoste faciendum iniungimus."

¹²¹ On winning over the aristocracy: Airlie, "Charlemagne and the Aristocracy," p. 91. Note too the king's emphasis on the people, not just the elite; see, for example, *Capit.* I,

Community

The enthusiasm of the Franks and indeed others who were part of Charlemagne's empire¹²² for his rule brings up the third aspect of continuity we must emphasize as we evaluate the overall balance of consistency and change in Charlemagne's reign.¹²³ This aspect of continuity is the interest in community, already signaled in the discussion of salvation as a structuring principle of governance.¹²⁴ Charlemagne's efforts to unify and centralize his realm depended far more on ideas of community and joint action for shared goals than on a vision of a simple, uniform Christian empire.¹²⁵ These ideas of community are most evident from 802, with the promulgation of a new oath of fidelity all male subjects were meant to swear, which was so important for its explication of Charlemagne's vision of his own relationship with his subjects.¹²⁶ The oath of fidelity announced in 802 required a long list of duties from subjects toward the king. Fidelity, in this new conceptualization, did not just entail the obvious points such as avoiding treason, but required each person to live up to what was required of his status in life for the good of the whole society.¹²⁷ As the king could not supervise everyone individually, all had to do their part.¹²⁸ Moreover, the actual swearing of the oath in person was an act of community-building, as were many other aspects of life in the empire ranging from participation at assemblies, to hunting and feasting, to liturgical prayer for the king and the realm.¹²⁹ One could

no. 64, c. 17, p. 153. On the advantages of royal rule: Airle, "Charlemagne and the Aristocracy," pp. 91, 99–101.

¹²² See discussion in Chapter 5, pp. 289–90 on recruiting foreigners.

¹²³ On the sense of triumphalism of the Franks and of Carolingian kingship, see McKitterick, *History and Memory*, chapters 4–6.

¹²⁴ As reflected in, for example, *Capit.* I, no. 33, c. 3, p. 92.

¹²⁵ See also Patzold, "'Einheit' versus 'Fraktionierung'," on the coexistence of "ethnic" and religious visions of community.

¹²⁶ See in particular *Capit.* I, no. 33, c. 2 and c. 3, p. 92, and discussion of M. Becher, *Eid und Herrschaft*, pp. 201–11.

¹²⁷ The oath is set out in the *Capit.* I, no. 33, pp. 91–9.

¹²⁸ *Capit.* I, no. 33, c. 3, p. 92: "Primum, ut unusquisque et persona propria se in sancto Dei servitio secundum Dei preceptum et secundum sponsonem suam pleniter conservare studeat secundum intellectum et vires suas, quia ipse dominus imperator non omnibus singulariter necessariam potest exhibere curam et disciplinam."

¹²⁹ These are all large topics, but for some basic orientation: On swearing the oath as community-building: Nelson, "Charlemagne and Empire," pp. 228–32; on assemblies: See p. 35; on hunting: Jarnut, "Die Frühmittelalterliche Jagd," and Eric Goldberg's forthcoming work; on feasting: Bullough, *Friends, Neighbours and Fellow Drinkers*, and Rouche, "Les repas de fête"; on liturgy: The extensive scholarship on the Carolingian liturgy makes clear the communal aspects of religious ceremony; see references on p. 175 for orientation into this vast literature. Such activities could solidify communal harmony, but did not inevitably do so. For a discussion emphasizing conflict, see M. Giese, "Kompetitive Aspekte."

go on listing occasions where community ties were reinforced, but the key point is that this was a personal society, dependent on face-to-face interaction. The king's interest in conceptualizing political ties in communal terms was mutually reinforcing with community-building on religious or social levels.

This interest in community was sustained throughout the reign. One can certainly argue that there were shifts in this vision of community-building over time. However, these shifts were largely developments within the overall effort to build community and not really new departures.¹³⁰ The focus on molding the diverse empire the king ruled into a political community structured, but not fully defined by, religion was, as an overall goal of Charlemagne's governance, indeed a regular force for consistency. As we have seen with the other aspects of consistent royal action the efforts to inculcate community varied: The political elite pursued many approaches simultaneously and the approaches did not all necessarily fit together well. The king and court made no sustained effort to combine them into a coherent whole; rather, different approaches accumulated, usually reinforcing each other, but certainly not smoothly.

Restructuring power networks

The final aspect of continuity that is evident in Charlemagne's governance as we have analyzed it structurally in this study is the insistence on reworking of administration and relations of power.¹³¹ This is a subject we have already examined, but a brief résumé of the key points can allow us to appreciate how this concern was a structuring element of Charlemagne's rule. The king's approach to this issue was undoubtedly irregular and variable. There is copious legislation on what officials are meant to do, occasionally to the level of micromanagement. But for the most part the emphasis on royal restructuring of power relations depended on broad principles asserted by the king. Rather than directly dismissing those who were unable or unwilling to live up to this royal vision of effective administration, Charlemagne worked around them. The king approached problems from many angles at once, and did nothing to mitigate the inevitable overlaps, inefficiencies, and conflicts of jurisdiction that resulted other than reiterating again and again that he was the deciding authority. The reworking of power was especially evident in the judicial realm, where the king insisted on a real vision of office

¹³⁰ Wallace-Hadrill, *Early Germanic Kingship*, p. 107.

¹³¹ See also Innes, *State and Society*, p. 260.

and justice that he expected his agents to fulfill.¹³² This vision of justice, as we have seen, was intrusive, demanding, and innovative. The king's emphasis on it, and on a similarly intrusive, demanding, innovative vision of office was the idea, next to communal salvation, pursued most clearly and consistently throughout the reign. We must also remember in this context that the reshaping of how power was exercised was not confined to the judicial realm, but was more widely evident in Charlemagne's governance. A final key point for the reworking of power relations as a factor of consistency in Charlemagne's rulership was the extent to which the king and court were willing to innovate. Despite the constant Carolingian lip service to the value of tradition, the king's actual exercise of governance is notable for experimentation, willingness to try new things, and the insistence, at times, on radical changes. Once again, anything we can see of consistency in royal governance was made possible by variable implementation: One cannot analyze royal consistency without taking account of the variation in its implementation. These four areas of political life are the clear cases where we can perceive consistent royal governance. This is a consistency of idea, however; the implementation of these ideas varied a great deal. Moreover, the consistency in basic ideas was interrupted by chronological change and the impact of contingency. We turn now to some of these interruptions.

Forces for change: the press of events, contingency, and failure

The consistency in main goals and tools of rulership was constantly mitigated by the forces pushing toward change and variability. The purpose of this section is to consider the main kinds of such forces for change and their impact on the reign. The primary factors that interrupted continuity during Charlemagne's reign were the press of daily events, moments of contingency, and royal failures. We will address each in turn, before considering how to combine evidence of consistency with evidence of contingency, or, put differently, did Charlemagne actually have a plan?

In a short but significant essay entitled simply "Charlemagne," Ganshof tried to describe the reign in terms of the year-by-year succession of events.¹³³ This approach helped undermine a triumphalist portrait of Charlemagne, and allowed scholars to appreciate the gravity of the challenges Charlemagne faced and to perceive the true ups and

¹³² To give just one example, see *Capit.* I, no. 33, c. 1, pp. 91–2.

¹³³ Ganshof, "Charlemagne."

downs of the reign. And there were indeed ups and downs. We can rarely trace the events of the reign on a day-to-day level, although the generations of scholarship that support the *Regesta imperii* database have given us a good sense of the major events on at least a monthly basis.¹³⁴ Charlemagne faced near constant challenges, but so did most early medieval kings. What is particular to the reign of Charlemagne?

Rudolf Schieffer has found the press of events, and the royal ability to profit from them, to lie at the heart of the reign. In a series of important articles, Schieffer has unpacked the unexpected events and unforeseeable consequences of actions, which shaped Charlemagne's reign.¹³⁵ Looking in detail at, for instance, the imperial coronation, Schieffer emphasizes the clever management of circumstances, rather than any kind of coherent strategy, as the shaping feature of the reign.¹³⁶ As I have suggested earlier, I think this goes too far. Schieffer's vision of reactivity captures something essential about the reign, but failing to contextualize this with the evidence for persistent patterns of exercise of power compiled here allows the chance to overwhelm the strategy. Charlemagne was unquestionably reactive and it was a key to his success. But that reactivity took place within a framework constructed out of consistent goals and persistent tendencies in how power was acted out. The pace of change in the reign emerges out of both the reactivity Schieffer has emphasized, and its occurrence within a political world shaped by coherent strategies and goals.

The other key factor that helped shape how the court reacted to the constant press of events is the role of the human scale of Charlemagne's life. Jinty Nelson's studies of Charlemagne as a man and of his family have been essential in situating the political within the personal.¹³⁷ Charlemagne never ruled alone, but he, as an individual, did dominate his political world. Thus, we need to understand the events of the reign within the context of this particular man's life, to the extent possible, as I try to do, for instance, in the discussion of the 813 coronation of Louis later in this Chapter. The personal, human factors, and the press of events shaped the reign and gave rise to chances Charlemagne made use of. The chance though, played out in a structure created out of

¹³⁴ Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*.

¹³⁵ Schieffer, "Die Einheit"; Schieffer, "Karl der Große—Intentionen und Wirkungen," and see now his "Karl der Große und Europa."

¹³⁶ Especially Schieffer, "Karl der Große—Intentionen und Wirkungen," and see discussion in the [Introduction](#).

¹³⁷ These include: "Charlemagne the Man"; "Charlemagne—pater optimus?"; "La cour"; "Women at the Court of Charlemagne"; "Did Charlemagne have a Private Life?"

patterns of political response. In sum, while events structured the reign, they did not do so randomly.

Charlemagne's ability to profit from situations in which he found himself can sometimes appear preternaturally lucky, and this is part of what so impressed Schieffer. The king did benefit from a variety of circumstances beyond his control, but any vision of the king progressing from success to success is unsustainable.¹³⁸ New research has reiterated the crises that rocked Carolingian power and the limits on royal authority.¹³⁹ One can go too far in this direction, and play down the successes that did exist and did impress contemporaries.¹⁴⁰ The structural trends in governance that encouraged positive results combined with favorable circumstances Charlemagne did not control to provide a foundation for further advancement. Yet, we also cannot discount the role of chance and accident. These too are factors the king could not influence, but what is relevant to our discussion of consistency in the reign is the response to unexpected moments. Every reign is shaped by contingency and chance, but not every constellation of political authorities handles these situations in the same way.¹⁴¹ By looking at how Charlemagne and his advisers responded to unexpected circumstance, how they reacted to opportunity, we can say something about the overall role of contingency and consistency in the reign, which will help us reach a verdict about royal planning and royal strategy.

¹³⁸ Nelson, "Making a Difference," p. 172. For examples of royal luck: Charlemagne's reign was largely free from epidemic disease; McNeill, *Plagues and Peoples*, pp. 107–17, and from volcanic explosions causing harsh winters: McCormick, Dutton, and Mayewski, "Volcanoes."

¹³⁹ For example, Nelson, "Making a Difference," p. 172 and Innes, *State and Society*, pp. 260–3.

¹⁴⁰ Such as the author of the Paderborn Epic: *Epos Karolus Magnus et Leo Papa*, pp. 62–4, lines 53–66:

"Strenuus ingenio Karolus, sapiensque, modestus,
Insignis studio, resplendens mente sagace,
Nomen et hoc merito Karolus sortitur in orbe.
Haec cara est populis lux et sapientia terris;
Omne decus pariter famulis, ornatus et omnis
Exstat, honor populi et plebis spes, gloria summa
Nominis. Hunc olim terris promisit origo
Tam clarum ingenio, meritis quam clarus opimis
Fulget in orbe potens, prudens gnarusque, modestus,
Inluster, facilis, doctus, bonus, aptus, honestus,
Mitis, precipuus, iustus, pius, inclitus heros,
Rex rector, venerandus apex, augustus optimus,
Arbiter insignis, iudex miserator egenum,
Pacificus, largus, solers hilarisque, venustus."

¹⁴¹ See also Nelson, "Making a Difference," p. 190.

Charlemagne, of course, faced many unexpected circumstances during his long reign. The occasional famines, which may well have been frequently localized, are one example.¹⁴² Modern science might have been able to predict such events, but they came as a shock to the medieval system.¹⁴³ Even if everyone knew occasional famine was inevitable, the particular instances still occasioned dismay.¹⁴⁴ Similar incidents such as diseases and storms also raised unexpected hurdles.¹⁴⁵ The response of the king and his advisers to such situations was largely to try to stem price gouging, encourage the higher status and wealthier segments of the population to help care for their “juniors,” and to organize litanies to appease the divine wrath the Carolingians felt such setbacks demonstrated.¹⁴⁶ The response to these events was particular, *ad hoc*, and reasonable given the circumstances, the tools, and mindset of the time.¹⁴⁷ Such incidents can demonstrate a royal ability to respond to

¹⁴² McCormick, *Origins*, pp. 10–11 on occasional famines. For discussion of famine and response, see Mordek, “Karls des Großen zweites Kapitular”; Verhulst, “Karolingische Agrarpolitik.” I disagree with Mordek’s dating of the capitulary responding to famine, but his comments about the nature of the response are still important.

¹⁴³ On the potential of studying medieval response to natural events, see Dutton, “On Medieval Weather.”

¹⁴⁴ See, for instance, the fear evident in Agobard’s depiction of the folkloric interpretation of storms by the population in his archdiocese: Agobard, *De grandine et tonitruis*.

¹⁴⁵ See, for example, the disease afflicting cattle noted in the Royal Frankish Annals s.a. 810, p. 132. On storms, see Dutton, “Thunder and Hail.”

¹⁴⁶ On price manipulation: For instance, *Capit.* I, no. 44, c. 4, pp. 122–3: “De hoc si evenierit fames, clades, pestilentia, inaequalitas aeris vel alia qualiscumque tribulatio, ut non expectetur edictum nostrum, sed statim depraecetur Dei misericordia. Et in praesenti anno de famis inopia, ut suos quisque adiuvet prout potest et suam annonam non nimis care vendat; et ne foris imperium nostrum vendatur aliquid alimoniae.” On aiding “juniors”: As in *Capit.* I, no. 21, p. 52 (also ed. Mordek, “Karls des Großen zweites Kapitular,” pp. 50–2). For the language of “juniors,” see *Capit.*, no. 64, c. 17, p. 153. On litanies: Letter to Fastrada, *Epistolae variorum*, no. 20, pp. 528–9; on appeasing divine wrath: *Capit.* I, no. 64, c. 5, p. 153: “Ut sacerdotes admoneant populum ut aelemosinam dent et orationes faciant propter diversas plagas quas assidue pro peccatis patimur.”

¹⁴⁷ Particular responses: For example, *Capit.* I, no. 46, c. 18, p. 132: “Consideravimus itaque, ut praesente anno, quia per plurima loca fames valida esse videtur, ut omnes episcopi, abbates, abbatissae, obtimates et comites seu domestici et cuncti fideles qui beneficia regalia tam de rebus ecclesiae quamque et de reliquis habere videntur, unusquisque de suo beneficio suam familiam nutrire faciat, et de sua proprietate propriam familiam nutriat; et si Deo donante super se et super familiam suam, aut in beneficio aut in alode, annonam habuerit et venundare voluerit, non carius vendat nisi modium de avena dinarios duos, modium unum de ordeo contra dinarios tres, modium unum de spelta contra dinarios tres si disparata fuerit, modium unum de sigale contra dinarios quattuor, modium unum de frumento parato contra dinarios sex. Et ipsum modium sit quod omnibus habere constitutum est, ut unusquisque habeat aequam mensuram et aequalia modia.” *Ad hoc* responses: For example, the Royal Frankish Annals s.a. 810, p. 132, where the army essentially gave up and went home under pressure of a cattle disease. Reasonable responses, for example, *Capit.* I, no. 46, c. 17,

circumstances, and to react at least relatively quickly.¹⁴⁸ These general trends in political response of Charlemagne and his court suggest that they were able to adapt well to contingency. Such a statement does not imply that they always adapted well to contingency. The constant response to Saxon rebellions with more and more military force, rather than trying to deal with the roots of the insurgencies, is one example where the king and court, even though they prevailed in the end, do not seem to have learned much from their mistakes.¹⁴⁹ Rather than simply listing examples showing ability to benefit from circumstances or the lack of such ability, we can look at one case in more detail. The case in question comes early on in the reign, and the choices the king made in handling this situation had serious repercussions throughout the rest of his life.

The incident I would like to consider is the conquest of Italy in 773–4.¹⁵⁰ While the conquest obviously was a choice made by the king, his ability to take advantage of the circumstances he found in Italy in ways that departed from Frankish tradition illuminates well the development of Charlemagne's rule. He might have acted quite differently. The involvement in Italy in itself is hardly to be wondered at.¹⁵¹ Relations between the Franks and the Lombards were not new, and the increasing Carolingian ties to the papacy bound the Franks more deeply to Italy.¹⁵² Even the invasion was not a new idea: Charlemagne's father and his Franks had invaded Italy not once but twice during Pippin's reign as king.¹⁵³ The fact that the Lombard king had again betrayed his promises to the papacy should have come as a surprise to no one.¹⁵⁴ Yet, there were several reasons why a Frankish invasion in 773–4 was not entirely to

p. 132: "Quicumque enim tempore messis vel tempore vindemiae non necessitate sed propter cupidatem comparat annonam aut vinum, verbi gratia de duobus denariis comparat modium unum et servat usque dum iterum venundare possit contra dinarios quatuor aut sex seu amplius, hoc turpe lucrum dicimus; si autem propter necessitatem comparat, ut sibi habeat et aliis tribuat, negotium dicimus."

¹⁴⁸ For some examples: Mordek, "Karls des Großen zweites Kapitular," pp. 23–31.

¹⁴⁹ On throwing more and more force at Saxony, see the Royal Frankish Annals s.a. 784, pp. 66–8, and compare Ganshof, "Charlemagne," p. 521 (p. 19 in the reprint) on handling of Saxon rebellions. Compare also Bachrach, "Charlemagne's Military Responsibilities," pp. 251, 255 for a more positive assessment of Frankish strategy toward Saxony.

¹⁵⁰ On the Carolingian takeover, see, for example, Schmid, "Zur Ablösung." This is an excellent starting point for discussion of the conquest, although some of my arguments later will differ.

¹⁵¹ Classen, *Karl der Grosse*, pp. 5–16 for an overview of relations.

¹⁵² On the complexity of relations see Wickham, *Early Medieval Italy*, chapter 3. The best survey of the papal-Frankish relationship is: Angenendt, "Das geistliche Bündnis."

¹⁵³ See account in the Royal Frankish Annals s.a. 755 and 756, pp. 12–14.

¹⁵⁴ Noble, *The Republic of St. Peter*, especially pp. 125–6.

be expected.¹⁵⁵ First of all, during the first few years of his reign, Desiderius maintained cordial relations with the papacy and the Franks.¹⁵⁶ Until matters degenerated badly during the last years of Pippin's reign, there was at least the potential that the triangle of shifting alliance between the Lombards, the Franks, and Rome could be sustained, even with occasional stresses, such as the Lombard defaults on promises to the papacy.¹⁵⁷ Second, if one had to guess from the first years of Charlemagne's reign, one might assume that the Frankish tradition of alliance with the Lombards was being revived.¹⁵⁸ The marriage arranged by Charlemagne's mother, Bertrada, between Charlemagne and Desiderius's daughter no doubt had Frankish implications, clearly linked to relations between Charlemagne and Carloman.¹⁵⁹ As we have seen, Bertrada's intentions in arranging the match are debated.¹⁶⁰ The key point in this context is that in the early 770s it appeared the Franks were going to work with the Lombards, or at least a segment of the Franks, given the fissure between Charlemagne and Carloman.¹⁶¹ We do not know if Charlemagne repudiated his Lombard wife before or after the death of his brother, but the repudiation, coupled with Carloman's widow's flight to Desiderius, with her sons, and Desiderius' later efforts to get the pope to anoint Carloman's sons as kings of the Franks, marked the death knell for Frankish-Lombard cooperation.¹⁶² But we must remember that this breakdown occurred only about a year and half before the invasion.¹⁶³

¹⁵⁵ See also Classen, *Karl der Grosse*, pp. 14–16.

¹⁵⁶ Noble, *The Republic of St. Peter*, pp. 100–8.

¹⁵⁷ I would not go as far as Hallenbeck in arguing that Desiderius acted as an agent for Pippin in dealing with the papacy, but nonetheless, Desiderius was on decent terms with both the Franks and the papacy at the start of his reign; Hallenbeck, "King Desiderius."

¹⁵⁸ Not that this was always a simple relationship; see, for example, Jarnut, "Die Adoption Pippins."

¹⁵⁹ For discussion of earlier scholarship, see Ary, "The Politics of the Frankish-Lombard Marriage Alliance," pp. 7–10. There was a long tradition of such Frankish-Lombard marriages; Wolf, "Die Qualität," pp. 399–400. Despite some useful comments in the Wolf article, his interpretation is weakened by his claim that Carloman also married a daughter of Desiderius.

¹⁶⁰ Jarnut, "Ein Bruderkampf," p. 173 (p. 243 in the reprint), and discussion in this Chapter, pp. 382, 388–9.

¹⁶¹ See also Ganshof, "Charlemagne," p. 520 (p. 17 in the reprint).

¹⁶² On the date of the repudiation: Nelson, "Making a Difference," p. 182; on Carloman's widow's flight: See accounts in the Royal Frankish Annals and its revision s.a. 771, pp. 32–3; on the sons of Carloman: Nelson, "Making a Difference," pp. 182–3; on Desiderius' efforts to have the sons of Carloman anointed: Angenendt, "Das geistliche Bündnis," pp. 65–7; *Vita Hadriani*, c. 9, p. 488; on the end of Frankish-Lombard cooperation: Nelson, "Making a Difference," p. 183.

¹⁶³ See also Noble, *The Republic of St. Peter*, p. 127.

Once Charlemagne had decided on an invasion himself, he needed to win the Franks over to this plan.¹⁶⁴ There are at least hints in the sources that the Franks were unenthused about the idea of invading Italy yet again, fears that may well have been realized when the Franks suffered during the long siege of Pavia.¹⁶⁵ Yet, the fact that the king insisted must be noted.¹⁶⁶ This is admittedly the early years of the reign, and he no doubt did have support among segments of the aristocracy, but the king still made what seems to have been an unpopular decision.¹⁶⁷ Furthermore, once they invaded, the Franks pressed the siege until Desiderius surrendered.¹⁶⁸ The insistence on persisting with the siege, itself a novel military technique in the context of Frankish invasions of Italy, the detour to Verona, where the king took possession of his nephews and, probably, had them killed,¹⁶⁹ and the visit to the papacy all demonstrate that while the siege was ongoing, the king was paving the way to the future: Removing his nephews from the picture, cementing his relationship with the pope, and refusing to lessen the military pressure on the Lombards.¹⁷⁰ There are hints here of the ruthlessness and insistence of sticking to a project once started that would become typical of

¹⁶⁴ This is at least a possible implication of Einhard's account of Pippin's problems on this front; Einhard, *Vita Karoli*, c. 6, pp. 8–9. See further Notes 184 and 185, and discussion in F. Hartmann, *Hadrian*, p. 113.

¹⁶⁵ Frankish hesitation is hinted at in Einhard's account, as in Note 164. Rosamond McKitterick has also pointed out the differing accounts in the Royal Frankish Annals and its revision (pp. 33–7), the former of which makes more of Charlemagne's discussions with the Franks prior to the invasion; see McKitterick, *Charlemagne*, pp. 28–9. On the difficult circumstances of the siege, for instance: *Vita Hadriani*, c. 35, p. 496.

¹⁶⁶ Compare Nelson, "Making a Difference," pp. 183–4, who argues that Charlemagne himself was reluctant to invade, and, from the opposite perspective, Fried, *Karl der Große*, pp. 123–48, who presents it as a calculated plan reaching back to the early years of the reign.

¹⁶⁷ Compare Ganshof, "Charlemagne," pp. 520–1 (p. 18 in the reprint).

¹⁶⁸ An aspect of the war which is noted by Einhard, *Vita Karoli*, c. 6, pp. 8–9. On the importance of this moment, see also W. Hartmann, *Karl der Große*, p. 84.

¹⁶⁹ On the handing over of the sons of Carloman: *Vita Hadriani*, c. 34, p. 496. See further pp. 160–1.

¹⁷⁰ *Vita Hadriani*, chapters 34–44, pp. 496–9 records the overall conduct of the war. Charlemagne admittedly insisted on the invasion only after efforts to bribe Desiderius failed; see Noble, *The Republic of St. Peter*, p. 131. On Charlemagne's visit to the pope during the siege of Pavia: *Vita Hadriani*, c. 35, p. 496: "Et dum per sex mensuum spatium ipse Francorum rex Papiam demoraretur in obsessione ipsius civitatis, magnum desiderium habens ad limina apostolorum properandum, considerans quod et sacratissima paschalis festivitas adpropinquasset, tunc abstollens secum diversos episcopos, abbates etiam et iudices, duces nempe et grafiones cum plurimis exercitibus, hic Romam per Tusciae partes properavit. Ita enim festinenter adveniens ut in ipso sabbato sancto se liminibus praesentaret apostolicis." The description of the visit continues on through chapter 43 of the *Vita Hadriani*.

Charlemagne's exercise of power.¹⁷¹ From the start, Charlemagne's approach to the invasions departed from the model set by his father.¹⁷²

The most important moment for us comes when Pavia fell and Charlemagne was left in control of Italy.¹⁷³ Rather than carry on his father's policy of taking tribute and insisting on the selection of a new Lombard king, Charlemagne himself took over Italy, and quickly acted on his intention to rule, not just nominally, his new kingdom.¹⁷⁴ We do not know the precise reasons this decision was taken, but we can detect a few factors.¹⁷⁵ First, the choice to rule Italy does seem to have been reasonably well prepared for during the long siege of Pavia.¹⁷⁶ Of course, the details of Carolingian arrangements in Italy would take time to fully set up, including relations with both the papacy and other centers of power, like Ravenna, and the transition from a Lombard administrative system to a Carolingian one.¹⁷⁷ None of this was in place in 774.¹⁷⁸ But the insistence on tying up loose ends during the siege of Pavia is at least one sign of the Franks preparing the ground for their own rule in Italy.

Another indication of Charlemagne's intentions to rule Italy is the promulgation of the *notitia Italica*, the first capitulary addressing Italy.¹⁷⁹ The capitulary has usually been dated to 776, after the revolt of Hrodgaud, but Rosamond McKitterick has suggested it was drawn up

¹⁷¹ Einhard, *Vita Karoli*, c. 7, p. 10.

¹⁷² Compare Ganshof, "Charlemagne," p. 520 (p. 17 in the reprint). The difference from Pippin's approach is also noted by W. Hartmann, *Karl der Große*, p. 83 and F. Hartmann, *Hadrian*, p. 113. Einhard too makes the point: *Vita Karoli*, c. 6, pp. 8–9.

¹⁷³ *Vita Hadriani*, c. 44, p. 499.

¹⁷⁴ On Pippin's approach: See the Royal Frankish Annals and *Annales Mettenses priores* s.a. 755 and 756, pp. 12–14 and 48–49 respectively, though the evidence that Pippin chose Desiderius as king of the Lombards is thin; see Noble, *The Republic of St. Peter*, pp. 101–2; Charlemagne taking over Italy: Classen, *Karl der Grosse*, p. 21; on ruling his new kingdom: Ganshof, "Charlemagne," p. 521 (p. 18 in the reprint).

¹⁷⁵ Compare Noble, *The Republic of St. Peter*, pp. 131–2.

¹⁷⁶ See further Nelson, "Charlemagne the Man," pp. 28–9 on the contingency, chance, and fragility involved in the conquest of Italy.

¹⁷⁷ On the land settlement: Noble, *The Republic of St. Peter*, pp. 153–81, and, emphasizing changing perspectives in Rome, F. Hartmann, *Hadrian*, *passim*. See also Jinty Nelson's work, exploring Charlemagne's efforts to let Ravenna serve as a counterbalance to Rome: Nelson, "Charlemagne and Ravenna." On administrative transformation: Hlawitschka, *Franken, Alemannen*, pp. 23–52.

¹⁷⁸ We must admit the first try at a ruling structure for Italy did not work well and was replaced after the revolt of Hrodgaud (on which see pp. 136–9). But this does not subtract from royal efforts to start laying the ground work for the control of Italy during the invasion itself. Noble, *The Republic of St. Peter*, traces the ins and outs of the settlement in detail. See also McKitterick, *Charlemagne*, pp. 113–14 on the slow enforcement of royal control.

¹⁷⁹ *Capit.* I, no. 88, pp. 187–8. For an examination of the dating and significance of this text, see [Chapter 5](#), pp. 286–7.

during the siege of Pavia, providing a possible further sign of the preparation during the siege to take over Italy.¹⁸⁰ The capitulary, very unusually, gives a date for its promulgation, namely, February 20.¹⁸¹ The idea that this February 20th in question was in 774 was dismissed by the editor on the grounds that Charlemagne was not yet in firm control of Italy. McKitterick has challenged the dating by pointing out that Charlemagne was in other respects handling administrative business, admittedly in relation to Francia, during the siege of Pavia, and that he was comfortable enough with his position to leave Pavia for Rome to celebrate Easter.¹⁸² McKitterick's dating fits well with what we have seen already of Charlemagne's confidence and willingness to take decisive action. The capitulary, concerned with the administrative transition to Carolingian control, makes the most sense, as McKitterick puts it, when seen "as an invitation to transfer political allegiance."¹⁸³ It also makes sense as a statement to the Franks in attendance on the siege that their patience would be rewarded with a full conquest of Italy. After all, whatever doubts the Franks may have had about a third invasion of Italy were surmounted.¹⁸⁴ The Franks may well have not enjoyed the siege of Pavia,¹⁸⁵ but they went along with it. There is no evidence of serious dissension in the ranks once the attack was underway. This is important, because we should always remember that war itself was a gamble; one never knew what the outcome would be, particularly in these early years before Charlemagne's military prowess had been firmly demonstrated.

In sum, what we see in the conquest of Lombard Italy is preparation for the takeover (at least once the attack had been joined), the start of a process of expansion which would last for decades, and the ability of the king to get the Franks to go along with the series of conquests, from which they would of course profit.¹⁸⁶ Charlemagne and his advisers looked at Italy and saw potential for rulership where his father saw the

¹⁸⁰ McKitterick, *Charlemagne*, pp. 111–13. Mordek's dating to 781 is unsustainable: Mordek, "Die Anfänge." It involves a redating of several early capitularies which supposedly refer to each other, but there is no support, to my mind, in either the content or the manuscript transmission, for these redatings. I offer a full discussion of capitulary dating in *Per capitularios nostros*. See also Chapter 5, pp. 286–8.

¹⁸¹ *Capit.* I, no. 88, c. 4, p. 188: "Et hoc damus in mandatis, ut quicumque homo ab hac presenti die vicesimo mensis Februarii . . ."

¹⁸² McKitterick, *Charlemagne*, p. 112. ¹⁸³ McKitterick, *Charlemagne*, p. 113.

¹⁸⁴ See also Noble, *The Republic of St. Peter*, p. 131.

¹⁸⁵ There are hints of unpleasant conditions for the Franks in *Vita Hadriani*, c. 35, p. 496. See also Alcuin's warning about the insalubrious weather in Italy, in the context of interventions in Benevento, in letter 224, p. 367.

¹⁸⁶ Einhard, *Vita Karoli*, c. 15, pp. 17–18 on the process of expansion; and Reuter, "Plunder and Tribute," pp. 79, 85 (pp. 234–5, 240–1 in the reprint).

need to protect papal prestige and the opportunity for tribute.¹⁸⁷ Charlemagne could not have known in 774 that his rule in Italy would be a great success and that it would help set off a string of conquests that would double the size of his realm. But he did see the potential in Italy and capitalized on it. Such an ability to understand the possibilities and grab them is key to an evaluation of royal success. When faced with circumstances, such as the opportunity to invade Italy, which were at least partly unexpected, the king was able to take advantage of them and to do so in a way that departed from Frankish tradition.¹⁸⁸ Charlemagne did not make good use of every opportunity open to him. But he did make good use of many such opportunities.

One can hardly overstate the importance of the conquest of Italy for Charlemagne's reign. He decisively broke from the tradition of his father. He managed to get the aristocracy to collaborate on a project they had doubts about. His arrangements for Italy were entirely unprecedented in the post-Roman West. The importance of the move is signaled in his use of titles. For the rest of the reign, Charlemagne called himself *rex Francorum et Langobardorum*, king of the Franks and the Lombards.¹⁸⁹ No other conquest had any impact on Charlemagne's titles. As we have seen, even the imperial title was used more erratically than the Lombard royal title. Yet this radical move of making himself king of the Lombards was a tremendous success, one which encouraged the aristocracy to continue to support him. This king may have asked much of his Franks and undertaken some unusual projects, but his risks paid off, both for himself and for those loyal to him. By choosing to take over Italy, Charlemagne set his reign on a new path.

We have seen how the press of daily concerns and unexpected moments of opportunity served to change Charlemagne's course, introducing variation into the practice of rulership. The final major source of variations in how Charlemagne ruled came about due to royal failures. The king and court made frequent mistakes, which often changed things, either by forcing them to adopt a new strategy or, if left unremedied, creating constant sources of tension. Some scholars are uncomfortable with the very language of success and failure, so we should begin with the terminology adopted for our analysis. Certain historians have suggested that attempting to assess success or failure of early medieval polities is an

¹⁸⁷ This is similar to Einhard's verdict on the war; Einhard, *Vita Karoli*, c. 6, pp. 8–9.

¹⁸⁸ Although do note Nelson's interesting comments on the limits to which we can see the Franks' actions in Italy as a real "policy"; "Making a Difference," p. 181. On unexpected circumstances in Italy, see also Nelson, "Charlemagne the Man," p. 28.

¹⁸⁹ On Frankish use of the *rex Langobardorum* title see Wolfram, *Intitulatio I*, pp. 217–24.

exercise doomed to anachronism.¹⁹⁰ For these scholars, a language of success and failure implies a particular vision of governance inappropriate to the premodern world.¹⁹¹ To the extent that the concept of success implies a model of top-down power precisely mediated through agents with clearly defined responsibilities to do particular tasks at particular times, the claim of anachronism is justified. But the terms success and failure need not imply this, or any other, particular vision of governance. Assessing whether a group of people managed to achieve aims they set and evaluating how those at a political center attempted to interact with others are the fundamental questions of political history. They are questions we must answer. As long as we are clear that in analyzing success and failure we must pay attention to the nature of the exercise of power at the time in question and to its particular limits and possibilities, there should be no insurmountable difficulty. Indeed, not to ask such questions means abdicating any effort to understand the sinews of political power and its impact beyond the center.

What then, did Charlemagne and his men get wrong? It is frankly a long list. We must of course admit that the king and court were capable of learning from their mistakes, a process especially evident in the development of conversion policy.¹⁹² The shift from the hardline approach in Saxony to the more gentle persuasion used in the Avar lands is a change we can see the king's advisers chewing over.¹⁹³ The example is so important because the discussion in the sources of what went wrong and how to do better is so rare. Most of the time, when the Franks made a mistake they simply moved on and did not discuss it. In this case, because the Christian mission linked to conquest was so important, the king's advisers struggled to understand how to adapt and discover a more nuanced, gradual, and gentle approach.¹⁹⁴ Regardless of how we interpret the first Saxon capitulary, there is no denying the brutality of the takeover of Saxony in general and the frequency of forced conversion.¹⁹⁵

¹⁹⁰ See Innes, "Practices of Property," pp. 263–4 on some of the different viewpoints offered.

¹⁹¹ For some of the dangers of this kind of language, see Warner, "Reading Ottonian History," pp. 100–1.

¹⁹² There is an overview in Büttner, "Mission und Kirchenorganisation," pp. 468–87; and more recently Angenendt, "Die Christianisierung."

¹⁹³ Deér, "Karl der Grosse und der Untergang," pp. 726–31.

¹⁹⁴ For example, Alcuin, letter no. 113, pp. 163–6, advising Arn on conversion techniques.

¹⁹⁵ For a reinterpretation of the first Saxon capitulary, see Schubert, "Die *Capitulatio de partibus Saxoniae*." On brutality: See the account of the massacre of Verden, in the Royal Frankish Annals s.a. 782, pp. 60–2; on forced conversion, see the Royal Frankish Annals s.a. 776, pp. 44–8. Some scholars have offered a revisionist interpretation of the massacre at Verden, suggesting it was a deportation and not execution, but I find these

In contrast, from the start of the Avar invasion, the Franks asked for God's guidance and the process of conversion began with more attention to winning people over to true belief and an understanding of the faith rather than starting with the outward observances insisted upon in Saxony.¹⁹⁶ As Alcuin pointed out, it is more important in the long run to focus on true spiritual conversion than worrying about paying tithes in the first throes of conversion efforts.¹⁹⁷ True believers will more reliably pay tithes over time, so the concern should be real belief not the money.¹⁹⁸ An obvious point, perhaps, but one the king needed to hear.¹⁹⁹ The approach to the Avar lands was no doubt encouraged by the easier conquest and the greater concern with taking plunder rather than setting up Carolingian control. Nonetheless, the shift in missionary techniques from the Saxon case to the Avars suggests the existence of a royal learning curve.

There were also cases, however, where the king and court were less able to fix their mistakes. One such failure is the disastrous military defeat Charlemagne suffered in Spain.²⁰⁰ The king was invited into Spain by

arguments unconvincing; see Hengst, "Die Urbs Karoli." Recent work has also suggested that the *Capitulatio de partibus Saxoniae* should be dated to the 790s and understood in a Spanish-Islamic context of Christian-Muslim conflict: Hen, "Charlemagne's Jihad." I cannot agree with Hen's argument, but regardless of the context of composition, the brutality of this text is obvious.

¹⁹⁶ Deér, "Karl der Grosse und der Untergang," pp. 726–31, for an overview, and see the primary accounts in: Letter to Fastrada, *Epistolae variorum*, no. 20, pp. 528–9; Royal Frankish Annals s.a. 791, p. 88; *Conventus episcoporum ad ripas Danubii*, in *Conc.* II, no. 20, pp. 172–6. However, even in Saxony the king was interested in advice about conversion; see, for example, the letter of Pope Hadrian advising Charlemagne on this topic, *Codex Carolinus*, letter 77, p. 609. For more on the conversion of the Avars, see Chapter 4, pp. 208–9 and Chapter 5, pp. 248–9.

¹⁹⁷ Alcuin, letter 107, p. 154, lines 16–20; see also letters nos. 111 (pp. 159–62) and 113 (pp. 163–6). These ideas were also played out in councils paving the way for the integration of the Avars; see analysis in: Reimitz, "Grenzen und Grenzüberschreitungen," pp. 156–62.

¹⁹⁸ Alcuin, letter 110, p. 158, lines 4–14: "His ita consideratis, vestra sanctissima pietas sapienti consilio praevidet: si melius sit, rudibus populis in principio fidei iugum inponere decimarum, ut plena fiat per singulas domus exactio illarum. An apostoli quoque, ab ipso deo Christo edocti et ad praedicandum mundo missi, exactiones decimarum exegissent vel alicubi demandassent dari, considerandum est. Scimus, quia decimatio substantiae nostrae valde bona est; sed melius est illa amittere quam fidem perdere. Nos vero, in fide catholica nati nutriti et edocti, vix consentimus substantiam nostram pleniter decimare; quanto magis tenera fides et infantilis animus et avara mens illarum largitati non consentit. Roborata vero fide et confirmata consuetudine christianitatis, tunc quasi viris perfectis fortiora danda sunt praecepta, quae soldiata mens relegione christiana non abhorreat."

¹⁹⁹ But one he was also willing to hear; note Mayr-Harting's insistence that we appreciate the religious sense of the king himself: Mayr-Harting, "Charlemagne's Religion."

²⁰⁰ On the defeat in Spain, see Einhard, *Vita Karoli*, c. 9, p. 12. Its severity was exacerbated by other problems in this period, which led Ganshof to consider the years 778–9 as the

squabbling Muslims, who approached him at Paderborn in 777.²⁰¹ The king invaded, and had some success in small battles versus some of the Islamic rulers.²⁰² On the way back, his rearguard was ambushed and decimated by a Basque attack.²⁰³ Whether or not this was entirely Charlemagne's "fault" is debatable. The Franks could have taken better account of the conditions and the terrain, but these were new to them.²⁰⁴ In any case, regardless of responsibility, the king's reach into Spain brought him one of his worst defeats. The Franks did not give up on Spain, and over time turned Catalonia into a region of Frankish control if not a fully integrated part of the empire, and they escaped further trauma at the hands of the Basques.²⁰⁵ The depth of the defeat is reflected in the silence in contemporary sources about these troublesome events, and in the future, the Franks proceeded more carefully.²⁰⁶ In the end, this suggests a mixed verdict of success and failure for the Franks in Spain, but their intervention began with a complete defeat and major setback for Frankish prestige and operationally the loss of several important aristocrats.²⁰⁷

Charlemagne had the greatest trouble, however, when he failed to make up his mind and stick to something, as he did when trying, and failing, to set up a plan for his succession. I have already suggested that the expectation of partible inheritance helped shape the arrangements of the *Divisio regnorum* of 806, but that the newly acquired imperial title did not have obvious implications for the arrangements made for the king's sons.²⁰⁸ The first clear hint of a plan of succession, beyond the disappearance of Carloman's children and potential heirs, comes in 781. In that year,

first crisis of the reign; Ganshof, "Charlemagne," p. 521 (pp. 18–19 in the reprint) and Ganshof, "Une crise."

²⁰¹ Royal Frankish Annals s.a. 777, p. 48; Collins, *Charlemagne*, pp. 65–8. There is a full account in Bautier, "La campagne."

²⁰² Collins, "Spain: The Northern Kingdoms and the Basques," p. 285 for short lived limited success.

²⁰³ Einhard, *Vita Karoli*, c. 9, p. 12; revision of the Royal Frankish Annals s.a. 778, pp. 51–3. See also the overview in: Salrach i Marés, *El procés de formació*, vol. 1, pp. 7–9.

²⁰⁴ Einhard, *Vita Karoli*, c. 9, p. 12 emphasizes the terrain.

²⁰⁵ Björkman, "Karl und der Islam," pp. 676–7; Chandler, "Between Court and Counts." See also further references about the imposition of Carolingian control in Northern Spain in Chapter 1, pp. 104–5.

²⁰⁶ Einhard and the revision of the Royal Frankish Annals tell us about these events, but immediately contemporary sources pass them over; see also M. Becher, *Charlemagne*, p. 64. On the later campaigns and interactions, see overview in Björkman, "Karl und der Islam," pp. 676–80; I would like to thank Michael McCormick for discussing with me the geography of the later campaigns.

²⁰⁷ See account in the revision of the Royal Frankish Annals s.a. 778, pp. 51–3.

²⁰⁸ See discussion on pp. 349–50, 359–61.

Charlemagne had his son Carloman baptized by the pope and renamed Pippin, a name already borne by Charlemagne's son by his first wife or concubine (depending on how one would like to evaluate the relationship), Himiltrude, and appointed Louis and the newly minted Pippin as sub-kings.²⁰⁹ The next obvious stage was a coronation of some sort for Charles the Younger in 800 in coordination with the imperial coronation.²¹⁰ The final main stage was the promulgation of the *Divisio* in 806, which shared out the empire into three pieces for the three surviving legitimate sons of Hildegard.²¹¹ In the end, the king outlived all of these sons except for Louis the Pious, whose succession was recognized only at the very end of Charlemagne's life, when he crowned Louis himself at Aachen.²¹²

Charlemagne did make some decisions about his succession promptly and definitely. Primary among these was the choice to favor the sons of Hildegard. For instance, the general assumption is that the renaming of Pippin of Italy in 781 is a clear indication that Pippin later known as the Hunchback would be excluded from the succession.²¹³ Despite doubts raised by some scholars due to Pippin's presence at court until his participation in the 792 revolt,²¹⁴ there is no clear evidence to suggest he was ever intended for future power after Charlemagne put aside his mother in 770. By 781, if not far earlier, Charlemagne had decided to mark out the sons of Hildegard.²¹⁵ This decision was bolstered by

²⁰⁹ Royal Frankish Annals s.a. 781, p. 56, and Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, no. 235b for further sources; for analysis, Angenendt, "Das geistliche Bündnis," pp. 70–90. On Himiltrude, see Konecny, *Die Frauen*, pp. 65–7.

²¹⁰ The contemporary sources are: Alcuin, letter 217, p. 360: "Audiui [per] domnum apostolicum regium nomen, domino excellentissimo David consentiente, cum corona regiae dignitatis vobis inpositum." *Vita Leoni III*, c. 23, p. 7: "Illico sanctissimus antistes et pontifex unxit oleo sancto Karolo, excellentissimo filio eius, rege, in ipso die natalis domini nostri Iesu Christi." See also Abel and von Simson, *Jahrbücher*, vol. 2, p. 238. There is also a brief allusion in Alcuin, letter 218, p. 361. He is sometimes referred to as king, as in the *Annales Mettenses priores*, s.a. 804, p. 92, s.a. 805, pp. 94–5.

²¹¹ *Capit.* I, no. 45, pp. 126–30.

²¹² On Louis' 813 coronation, see Royal Frankish Annals s.a. 813, p. 138; Einhard, *Vita Karoli*, c. 30, p. 34; Chronicle of Moissac s.a. 813, pp. 310–11 (p. 259 in SS II, re-edited in Kettmann, "*Subsidia Anianensia*," part 2, pp. 122–4 and in Kats and Claszén, "*Chronicon Moissiacense Maius*," part 2, pp. 145–6); Thegan, *Gesta Hludowici imperatoris*, c. 6, p. 180–4; Astronomer, *Vita Hludowici imperatoris*, c. 20, pp. 342–4; Ermoldus Nigellus, *Carmen in honorem Hludowici pii*, book 2, lines 652–735, pp. 52–8.

²¹³ Goffart, "Paul the Deacon's," pp. 62–3 for a review of the evidence and various positions advanced.

²¹⁴ Kasten, *Königssöhne*, pp. 138–51 for a full discussion of all the possibilities for Pippin's final exclusion from power. The strongest argument for Pippin as a serious political figure has been made by Carl Hammer: Hammer, "'Pipinus rex.'" See also Hammer's "The Social Landscape."

²¹⁵ For orientation on Hildegard herself, see Richè, Heitz, and Héber-Suffrin (eds.), *Actes du colloque 'Autour de Hildegard'*; M. Hartmann, *Die Königin*, pp. 99–101.

Charlemagne's later marital choices. Neither of Charlemagne's next two legitimate wives produced a male child, but had they done so, the succession might have looked quite different. Walter Goffart has suggested that Charlemagne did not remarry after the death of his last wife Liutgard in 800 because having three grown sons he chose not to father more legitimate children who might contend for power.²¹⁶ His refusal of permission to his daughters to marry,²¹⁷ despite his clear tolerance of their long-standing liaisons (and indeed his close relationship with his daughter Bertha's lover Angilbert),²¹⁸ supports Goffart's arguments that the king consciously chose to learn from the Merovingian danger of too many possible heirs by limiting the number of legitimate children produced. Charlemagne did have further male children after 800, but these offspring were never groomed to be kings,²¹⁹ which is perhaps a more important point than their legitimacy, given that Christian assumptions about marriage were only slowly being absorbed by the Franks precisely at this time.²²⁰ Thus, from 781 at least, Charlemagne decided that he would be succeeded by his three sons by Hildegard and made choices that would aid in that goal.

This characteristic decisiveness did not hold for all aspects of succession planning, however. Having decided the three sons of Hildegard would succeed did not mean that there was an obvious answer for what

²¹⁶ Goffart, "Paul the Deacon's."

²¹⁷ On Charlemagne's relationship with his daughters see Nelson, "Women at the Court of Charlemagne."

²¹⁸ On Angilbert's career and ties to Charlemagne: Freeman and Meyvaert, "*Opus Caroli regis contra synodum*," An Introduction," pp. 4–14; von den Steinen, "Entstehungsgeschichte," pp. 50–1; Freeman, "Further Studies in the *Libri Carolini* III," p. 597; Freeman, "Carolingian Orthodoxy," pp. 71–5, 85–7; Mayr-Harting, "Charlemagne's Religion," pp. 118–19; Bullough, *Alcuin*, pp. 244, 345, 448–9, 451; Rabe, *Faith, Art, and Politics*, pp. 52–75, 86–92; Nelson, "La cour," pp. 186–7; Godman, *Poetry of the Carolingian Renaissance*, pp. 5–7; Royal Frankish Annals s.a. 792 and 796, pp. 90 and 98, respectively; Hariulf, *Chronique de l'abbaye de Saint-Riquier*, book 2, pp. 46–80. Angilbert seemingly acted as Pippin's *primicerius* for a time. On Angilbert as a *primicerius* in Italy see Rabe, *Faith, Art and Politics*, pp. 71–2 and Bullough, *Alcuin*, p. 38, note 83. Bullough offers a different dating (which is to be preferred to Rabe) of a letter of Alcuin, which is the only evidence for Angilbert as *primicerius*, but how this would then fit in with the rest of Angilbert's career and what exactly his duties entailed is unclear to me. It is also possible Angilbert was the author of a court response to an ecclesiastical *missus* seeking guidance on his duty to investigate the religious and legal practices of people in his *missaticum*; see the text and discussion in Pokorny, "Eine Brief-Instruktion," especially pp. 73–6 on authorship.

²¹⁹ Compare the overview in Kasten, *Königssöhne*, pp. 163–5.

²²⁰ The basic study of marriage in the Carolingian period is Wemple, *Women in Frankish Society*. For more recent perspectives see Toubert, "The Carolingian Moment (Eighth-Tenth Century)"; Heidecker, *The Divorce of Lothar II*; Stone, *Morality and Masculinity*, chapter 8.

the triple succession should look like. The document laying out the final plan, the *Divisio regnorum*, illustrates some of the complexities of the situation, as scholars have debated what it actually meant.²²¹ Some historians see it as a more even division, which in purely geographical terms it was, while others feel that the giving of the Frankish heartlands to Charles the Younger made it a document in his favor.²²² A closer look at the evidence for the treatment of Charles the Younger during the king's planning for his succession reveals, in fact, a profound ambivalence.

If we add up all the evidence of precedence for Charles the Younger, this consists of: Some kind of status in the region of Le Mans for a time; his coronation at Rome; his frequent work leading his father's armies; his intended inheritance of the heart of the Frankish kingdom and its fisc; and the favoring of his position in the *Annales Mettenses priores*. Let us consider these factors in turn. In 789, long after his brothers had received their sub-kingdoms, he was given some kind of role for some period of time in the region of Le Mans, although Kasten's effort to consider this a kingdom, while seeing Charles as not a full king, is unsustainable.²²³ If anything, this is a less impressive role than his brothers had. He later received some kind of royal title, it seems, in 800, in conjunction with Charlemagne's imperial coronation.²²⁴ The ceremony at Rome is evocative, but the lack of clear information or any real follow-up to it suggests

²²¹ There is an immense bibliography on the *Divisio*; attention here will be focused on the role envisioned for Charles the Younger and the lack of clarity in some of the arrangements made. The other works cited in the Notes can provide guidance on the literature that addresses other aspects of the *Divisio*.

²²² There is an even-handed survey of the historiography in Kaschke, *Die karolingischen Reichsteilungen*, particularly pp. 309–11, and Kaschke, "Tradition and Adaption," pp. 259–61. Kaschke suggests a limited emphasis on Charles, but he surveys the variety of opinions clearly. On some of the traditional aspects of the *Divisio*, see W. Hartmann, *Karl der Große*, p. 46.

²²³ *Annales Mettenses priores*, s.a. 789, p. 78: "Huius anni principio rex Carolus primogenitum filium suum Carolum ultra Sequanam amnen direxit, triuens ei ducatum Cinomannicum." The term "*regnum*" for Charles' land is used in the Annals of St. Amand (*Annales Sancti Amandi*, s.a. 789, p. 12: "et Carlus filius eius regnum accepit ultra Segona"), but this need not imply a kingdom. For the suggestion, see Kasten, *Königssöhne*, pp. 141–2. Carl Hammer also discusses in this context an anonymous text attributed to Alcuin (letter 132, pp. 198–9) addressing issues of inheritance, which Kasten had suggested was linked to plans for the succession (Kasten, *Königssöhne*, pp. 213–14). However, this text cannot help explain the arrangements for Charles the Younger, since it seems to date from the reign of Charles the Bald (Kasten, "Alkuins erbrechtliche Expertise," which reverses her earlier position; see also Bullough, *Alcuin*, pp. 35–6). While Hammer thinks it possible to attribute the anonymous text to Alcuin, he does offer a useful critique of the attempt to envision the 789 grant as the bestowal of royal office: Hammer, "Christmas Day 800," pp. 10–12.

²²⁴ See Note 210 for the sum total of the evidence on this point.

it did not have a significant impact on Charles or the realm.²²⁵ Charles, compared to his brothers, spent the most time at court, which would have allowed him to accrue political capital, and of all the sons, he was arguably the most trusted military commander.²²⁶ While the military duties would have brought prestige, he was not allowed to marry,²²⁷ and he did not have a base of operations on the scale of his younger brothers. The signs of his prominence and yet of a somewhat limited station seem to contradict each other.

Even Charles' inheritance of lands in the *Divisio* poses problems. The fact that Charles was intended to receive the heart of the Frankish lands may be a sign of honor, but the divisions Charlemagne set up had to be different. The empire was far larger than anything the Franks had tried to split before. So maintaining some coherence by keeping places together that had a history makes sense and need not imply a special role for Charles. The most compelling evidence is his inheritance of extensive fiscal lands. However, given that Charlemagne expected support from all religious institutions and that he was not itinerant, the economic advantages associated with Charles' prospective inheritance are unclear.²²⁸ The inheritance of significant parts of the royal fisc may well be a sign of special status, but alone does not add up to a clear preference for Charles. The final piece of evidence offers a key to how to interpret Charles' position. This evidence is the favor shown him by the *Annales Mettenses priores*.

The *Annales Mettenses priores*, probably composed under the direction of Charlemagne's sister Gisela at Chelles, seem to argue for the preeminence of Charles the Younger, and arguably for his sole succession.²²⁹

²²⁵ See also W. Giese, "Die designative Nachfolgeregelungen," pp. 455–8.

²²⁶ I cannot agree with Carl Hammer's suggestion that Charles was less favored than his brothers, but Hammer does usefully review the evidence available for Charles' presence at court: Hammer, "Christmas Day 800," especially pp. 13–20.

²²⁷ Although a marriage may have been intended for him: See Hammer, "Christmas Day 800," pp. 9–10. However, Carl Hammer's recent suggestion that Charles the Younger was gay is intriguing, but hard to sustain: Hammer, "Christmas Day," pp. 19–20. On earlier suggestions in the same vein, see discussion in W. Hartmann, *Karl der Große*, p. 236; Hägermann, *Karl der Große*, pp. 306, 499. See also Nelson, "England and the Continent in the Ninth Century: IV," p. 12, arguing against the claim.

²²⁸ The issue of the relationship of the king to monasteries in some sense belonging to him during Charlemagne's reign is a problem that requires some serious rethinking, which I hope to do elsewhere.

²²⁹ On the composition of the *Annales Mettenses priores*, see Nelson, "Gender and Genre," pp. 156–60 (pp. 191–4 in the reprint); McKitterick, *History and Memory*, p. 125; Hen, "The Annals of Metz," pp. 176–7; Fouracre and Gerberding, *Late Merovingian France*, pp. 330–49; Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 3, section 3. On the arguments for succession in the text, see the perspectives offered by Hen, "The Annals of Metz" and Haselbach, *Aufstieg und*

The text frames the history of the Carolingian family as a story of succession from father to son, interrupted by unfortunate family conflicts, and ultimately setting up Charles as the heir to his father Charlemagne.²³⁰ This is of course a gross manipulation of the realities of Carolingian history, but did create a compelling argument for the divinely sanctioned success of the Pippinid-Arnulfing line.²³¹ The composition of such a text, probably in late 805/early 806, roughly concurrent with the promulgation of the *Divisio*, is an indication of how deeply interested in the succession the political community was by this point. What this text shows, however, is that certain groups at court favored him, not that the court as a whole favored him. A different perspective on the succession is offered by the *Chronicon Laurissense breve*, written just after the *Annales Mettenses priores* and possibly in reaction to them.²³² Both historical texts are favorable to Charlemagne, but offer different visions of the succession. We should not extrapolate from the *Annales Mettenses priores* to the entire political community of the realm. The giving to Charles of, arguably, the best land is a sign that someone was advocating for him, as is the coronation at Rome. Yet, the lack of consistent signs of favor hints that what we see in the sources is the debate.²³³ Charles received certain signs of precedence, but not enough to turn him into an obvious successor to the full extent of his father's power.

I would argue that the contradictions in our sources about Charles the Younger's intended inheritance are not simply a result of incomplete evidence, but a reflection of Charlemagne's ambivalence. There is little direct evidence of what Charles the Younger's 800 coronation meant because the plan was not fully thought out and was at least partially abandoned. There has been so much scope for historians to debate the nature of the succession arrangements precisely because they were not

Herrschaft, pp. 182–3, 186–90. Even if Gisela was not the abbess of Chelles, her guiding role seems clear. On whether she was an abbess, see the doubts in M. Hartmann, *Die Königin*, p. 199. Kaschke, *Die karolingischen Reichsteilungen*, is more skeptical about both Gisela's role in composing the text (especially pp. 207–11) and its favoring of Charles the Younger (especially pp. 217–19, 245–8).

²³⁰ The *Annales Mettenses priores* emphasize Charles the Younger over his brothers: Compare references to Charles the Younger to those to his brothers, as given on p. 359, Note 65. For a different interpretation, see Kaschke, *Die karolingischen Reichsteilungen*, pp. 203–48. My reading of the text is closer to Nelson, "Gender and Genre," although I do not think the attitude of the Annals is precisely reflected in the plan adopted in the *Divisio*.

²³¹ See especially Hen, "The Annals of Metz."

²³² See now Reimitz, *History, Frankish Identity and the Framing of Western Ethnicity*, part III, chapter 3, section 4.

²³³ For some signs of continued concern, see Kaschke, "Fixing Dates."

very clear and the court did not adhere to the decisions once made. The overall effort to arrange the succession lasted, in its fullest extent, from the early 780s until 813. The only completely unequivocal moment of the entire process is the coronation of Louis the Pious as emperor in 813. Ironically, this moment of clarity marked out for succession the son Charlemagne may have been least interested in seeing succeed.²³⁴ Nonetheless, by 813, Charlemagne had no other options,²³⁵ and, with his advancing age, was running out of time. The result was the best documented, clearest, and most effective succession plan during the entirety of Charlemagne's reign.²³⁶ Even the *Divisio* is not a good parallel, because while we know about the discussions that fed into the decision we know virtually nothing about the actual events at the assembly that announced the plan.²³⁷ While the king in the *Divisio* asserted his prerogative to make a decision single-handedly, the actual succession plans were the result of decades of indecisiveness and aborted approaches to arranging the succession.²³⁸ This lack of clarity left room for debate and independent maneuvering. On the whole, the effort to arrange the succession betrays an indecisiveness and hesitancy that is uncharacteristic of Charlemagne's political behavior, but which created extensive political uncertainty.

The hesitancy perhaps was a reasonable reaction, as one could argue that none of the options open to Charlemagne was entirely appealing. Having spent the first three years of his own reign at loggerheads with his

²³⁴ The evidence for this is unclear, but many of the narrative sources for Charlemagne's reign evince less interest in Louis than in his brothers. For the *Annales Mettenses priores*, see [Chapter 7, Note 65](#), and for the Royal Frankish Annals, [Chapter 7, Note 70](#). See also W. Hartmann, *Karl der Große*, p. 237.

²³⁵ Compare Fried, "Elite und Ideologie," arguing that Charlemagne did indeed have other options in 813, namely, Bernard of Italy. I can see no evidence that there was any real consideration of the possibility of not fully handing over power to Louis in 813.

²³⁶ The key sources are listed in [Note 212](#). That the majority of these postdate Charlemagne's reign is perhaps not just a function of the event coming toward the end of the reign, but of the lack of support for Louis at Charlemagne's court.

²³⁷ All the capitulary itself says is that the king issued it. The Royal Frankish Annals note the promulgation, but without providing much further information on the nature of the meeting. Royal Frankish Annals s.a. 806, p. 121: "Illisque absolutis conventum habuit imperator cum primoribus et optimatibus Francorum de pace constituenda et conservanda inter filios suos et divisione regni facienda in tres partes, ut sciret unusquisque illorum, quam partem tueri et regere debuisset, si superstes illi eveniret. De hac partitione et testamentum factum et iureiurando ab optimatibus Francorum confirmatum, et constitutiones pacis conservandae causa factae, atque haec omnia litteris mandata sunt et Leoni papae, ut his sua manu subscriberet, per Einhardum missa. Quibus pontifex lectis et adsensum praeiuit et propria manu subscripsit."

²³⁸ Charlemagne simply announces his plans: *Capit.* I, no. 45, introduction, p. 126: "omnibus fidelibus sanctae Dei aecclesiae ac nostris, praesentibus scilicet et futuris. Sicut omnibus vobis notum esse et neminem vestrum latere credimus."

brother, Charlemagne was entirely aware of the pitfalls of shared power. Whatever the advantages of the sole rule Charlemagne himself had won after his brother's death, he was wary of ceding similar privileges to his own heirs. Nonetheless, the Carolingians learned a lot from the example of the Merovingians and a clear conclusion to be drawn from Merovingian history is the frequent problems caused by having too many possible heirs.²³⁹ Charlemagne sought to limit the number of viable Carolingian heirs, but he still had multiple sons to provide for. On the other hand, the tradition of division was well entrenched in Francia, the expectations of the sons of Hildegard had been long nurtured, and Charlemagne himself well knew what it was like to fight for power. Given these circumstances, balancing the imperatives of division with the practicalities of sole rule may well have been a fool's errand. Nonetheless, it took Charlemagne decades to make up his mind firmly what to do about his succession. When he did so, it was in the *Divisio*, a text whose import has been deeply debated and whose language asserts only royal prerogative in a matter where aristocratic support would be decisive. The question of why Charlemagne did not more clearly assign power to Charles the Younger in the *Divisio* must remain speculation. In the end, even that text was rendered moot and the clearest moment of succession planning came only at the very end of the king's reign. Much of the tension and maneuvering could have been avoided had the king simply divided his lands like other Franks did theirs, and then had done with it.

While the problem of succession is a perpetual one for medieval monarchies, Charlemagne's efforts to grapple with his succession were halting, not fully thought through, and often discarded. These abandoned plans left the sons in unclear positions and created a space for aristocratic disagreement. These problems were managed, but perhaps more serious were the lessons for the future. Even if he eventually settled on a feasible solution in the *Divisio*, this was only after decades of uncertainty and shifting approaches, and that text too was far from transparent. One could argue that the *Ordinatio imperii*, the capitulary setting out the plans for the succession of Louis the Pious' sons, whose arrangements ultimately resulted in civil war, was a direct reaction to the lack of clarity and lack of a clear main successor in the *Divisio*.²⁴⁰ When planning his succession Charlemagne kept too

²³⁹ On Merovingian succession strategies and difficulties, see Kasten, *Königssöhne*, chapter 1; I.N. Wood, *The Merovingian Kingdoms*, pp. 55–60, and most recently Widdowson, "Merovingian Partitions."

²⁴⁰ *Capit.* I, no. 136, pp. 270–3; and reinterpretations in Booker, *Past Convictions*, p. 170 and de Jong, *The Penitential State*, pp. 24–8, 32, 53, 68, 146, 223, 239.

many possibilities in play, refused to follow a traditional path, and simply did not make up his mind for decades. Charlemagne made many decisions that one can argue were misguided; he rarely avoided making them, however. The succession was an exception, and it reveals the gaps in political acuity even in a ruler generally as effective as Charlemagne.

The study of Charlemagne's failures is an essential component of the analysis of his rule for three reasons in particular. First, the roots of the later legend are already sufficiently present in the contemporary sources that we need to moderate the glorification with a recognition of the limits of his power. Second, as we have seen, the failures and the uncertainty they provoked prompted change in the empire. Third, the failures, and the other forces for change we have examined here (and the reactions they prompted), helped shape the nature of political life in the empire. It is this final point about the rhythms of political life which requires elucidation. Charlemagne's method of exercising power was in many ways a departure from Frankish tradition, both because of his willingness to innovate and because of the new circumstances created by his extensive conquests. He invented not only a new empire, but a new way of exercising power in it. And this new way of exercising power held for most of the reign. It was constantly reshaped by the need to respond to events, and is best understood as a series of political tendencies rather than hard and fast rules of political life. Nonetheless, the innovative, ambitious, and aggressive approach to rule we can see clearly by 790 remained characteristic of Charlemagne's reign. There is an important nexus between this ambitious, innovative approach to rule, and the royal failures and other moments of interruption in the reign, in that the combination created the political dynamics of the reign, where the inevitable stops-and-starts provided a constant prod to further change and flexibility. There is almost a feedback loop, where ambition and innovation lead to a mix of success and failure, which just prompts more ambition and innovation, in an endless political cycle of action and reaction. No one had much time to dwell on the problems because things were constantly changing and so much was attempted. Constant change, whether due to the press of events, moments of chance, innovation, or failure, shaped the dynamics of political activity.

Did Charlemagne have a plan?

The issues of change and consistency explored in these Chapters suggest that Charlemagne's reign was structured by a series of persistent concerns, consistent patterns of political response, and constant and

attentive response to events. The pivotal moments in the reign owe their importance to how the king capitalized on circumstance, in ways that evince certain characteristic tendencies of political response, like the willingness to do things differently and the speed of reaction to events. By identifying these characteristic patterns so early in the reign, we can see how they provide a structure to a rule that was frequently reactive. Ganshof, with whose periodization of the reign we began, argued that there was a certain minimal consistency to Charlemagne's reign, but that it was undermined by incomplete implementation, piecemeal approaches to rulership, and erratic enforcement.²⁴¹ For Ganshof, there is a caesura between what Charlemagne and his men originally envisioned and what they were able to achieve: Charlemagne may have begun with a vision for his rule but it was impossible to implement. Ganshof argued that the king had some consistent goals, but no overarching plan.²⁴² Other scholars downplay even this level of consistency and planning. While still leaving room for some forethought to the reign, Schieffer's evaluation of Charlemagne emphasizes the clever exploiting of chances.²⁴³ Schieffer's interpretation of the reign focuses not on an unrealized potential for a consistent reign, but on "improvisation" and "opportunism," to use his language, offering a sense of the reign that undermines many of the elements of consistency that Ganshof recognized. I agree with Schieffer's emphasis on the *ad hoc* elements, but he leaves little room for coherent directions and the remarkable political achievement of ruling most of Western Europe for over forty years with massive impact on culture and society and little political disruption. Such a feat is not simply a matter of reacting: Political societies do not just hold together on their own, especially when such empires are new creations. Other scholars object to Ganshof by arguing from the opposite angle, namely, that Charlemagne did pursue a consistent strategy, at least at certain moments.²⁴⁴ The strongest argument from this perspective focuses on military strategy, claiming that Charlemagne's conquests reveal a clear expansionist policy.²⁴⁵ The evidence compiled in these Chapters offers a different view on the balancing of contingency, change, and consistency during the reign of Charlemagne.

²⁴¹ See in particular, Ganshof, "Charlemagne," pp. 526–7 (pp. 24–5 in the reprint).

²⁴² Ganshof, "Charlemagne," p. 526 (p. 24 in the reprint). Part of this passage is cited and discussed in different terms in the [Introduction](#), pp. 11–12.

²⁴³ Schieffer, "Karl der Große—Intentionen und Wirkungen."

²⁴⁴ For instance, Noble, "From Brigandage to Justice," p. 51.

²⁴⁵ Such as Bachrach, *Early Carolingian Warfare*; Bowlus, "Italia-Bavaria-Avaria."

I have argued here that there was a set of guiding ideas, namely, salvation, community, royal dominance, and restructuring power, which shaped how the king exercised his power, and which were consistently pursued. Similarly, the court evinced certain typical tendencies of political response, including doing anything in multiple ways at once or working around problems unless they absolutely had to be solved. This consistency resulting from guiding ideas and certain patterns of political response was mitigated, however, by the ability of king and court to profit from contingency and respond to circumstances, and by the variable implementation of the consistent ideas. Charlemagne did not set out to rule in a consistent, regular, stable manner. He set out to fulfill some key ideas, in many ways at once, with varying emphases, with constant response to circumstances. The reign of Charlemagne gave rise to a political world defined by tumultuous action and constant change. The king was the center of political gravity in this world, but essentially all else – events, people, tools of governance, and so on – was in motion. Yet, there was a structure to this political world, derived from the central role of the king, guiding ideas of the ends of rulership, and patterns in acting out power. What should surprise us as we consider these issues of chronology and change is not that there was a balancing of consistency and contingency in the reign, but how they combined. That is, the consistency was itself broad and flexible enough to leave room for contingency and variable implementation. This is where the interpretation offered here differs most strongly from Ganshof: I see no contradiction between consistency and irregularity.²⁴⁶ Thus, in my view, the consistency of the reign was in a sense strengthened by the *ad hoc* nature of royal exercise of power and variable methods of rulership. Rather than positing an opposition between coherent, consistent rulership and variation, we should see the two in Charlemagne's governance working together to provide a flexible but guiding order to the sometimes divergent approaches to governance adopted by the court.

The title of this Chapter evokes the image of the *recta via*, the right path derived from the Bible.²⁴⁷ The profound religiosity of the Carolingian era, and the emphasis on unity in many guises later in the Carolingian period, has led some scholars to imagine Carolingian rulers returning

²⁴⁶ Compare Ganshof, "Charlemagne's Programme of Imperial Government," pp. 70–1, and Ganshof, "Charlemagne," pp. 526–7 (pp. 24–5 in the reprint).

²⁴⁷ 2 Chronicles 34: 2 (Vulgate): "Fecitque, quod erat rectum in conspectu Domini, et ambulavit in viis David patris sui; non declinavit neque ad dextram neque ad sinistram."

their people to the right path, an image Charlemagne himself played with in the preface to the *Admonitio generalis*.²⁴⁸ But while there was one ultimate goal of Charlemagne's governance, that of salvation, we must remember the paths leading to that goal were in fact variable.²⁴⁹ The ends of governance and the guiding ideas for what a king should do are traditional ideas Charlemagne pursued consistently. But all other details of that pursuit were irregular, *ad hoc*, contingent, and often innovative. What Charlemagne and his advisers chose to characterize as the one right path of the Bible can best be understood for modern sensibilities as many paths leading to one destination.²⁵⁰ The consistency in the ends of governance did not limit the approaches to achieving those ends exploited by the king and his advisers. It is the combination of persistent concerns, certain typical patterns of political response, taking advantage

²⁴⁸ *Capit.* I, no. 22, introduction, p. 53, line 44, p. 54, lines 1–6; now re-edited *AG*, pp. 182–4, which I cite here: “Ne aliquis, queso, huius pietatis ammonitionem esse praesumptiosam iudicet, qua nos errata corrigere, superflua abscidere, recta coartare studemus, sed magis benivolo caritatis animo suscipiat. Nam legimus in regnorum libris, quomodo sanctus Iosias regnum sibi a deo datum circumeundo, corrigendo, ammonendo ad cultum veri dei studuit revocare, non ut me eius sanctitate aequiperabilem faciam, sed quod nobis sunt ubique sanctorum semper exempla sequenda, et quoscumque poterimus, ad studium bonae vitae in laudem et in gloriam domini nostri Iesu Christi congregare necesse est.”

²⁴⁹ For references to the focus on salvation, see pp. 397–9.

²⁵⁰ See also similar themes in *Capit.* I, no. 33, c. 1, pp. 91–2: “Primum cap. De legatione a domno imperatore directa. Serenissimus igitur et christianissimus dominus imperator Karolus elegit ex optimatibus suis prudentissimis et sapientissimos viros, tam archiepiscopis quam et reliqui episcopis simulque et abbates venerabiles laicosque religiosos, et direxit [recte dixit] in universum regnum suum, et per eos cunctis subsequentibus secundum rectam legem vivere concessit. Ubi autem aliter quam recte et iuste in lege aliquit esse constitutum, hoc diligentissimo animo exquirere iussit et sibi innotescere: quod ipse donante Deo meliorare cupit. Et nemo per ingenium suum vel astutiam perscriptam legem, ut multi solent, vel sibi suam iustitiam marrire audeat vel prevaleat, neque ecclesiis Dei neque pauperibus nec viduis nec pupillis nullique homini christiano. Sed omnes omnino secundum Dei praeceptum iusta viverent rationem iusto iudicio, et unusquisque in suo proposito vel professione unanimiter (sic) permanere ammonere: canonici vita canonica absque turpis lucris negotio pleniter observassent, sanctemoniales sub diligenti custodia vitam suam custodirent, laici et seculares recte legibus suis uterentur absque fraude maligno, omnem in invicem in caritate et pace perfecte viverent. Et ut ipsi missi diligenter perquirere, ubicumque aliquis homo sibi iniustitiam factam ab aliquo reclamasset, sicut Dei omnipotentis gratiam sibi cupiant custodire et fidelitate sibi promissa conservare; ita ut omnino in omnibus ubicumque, sive in sanctis ecclesiis Dei vel etiam pauperibus, pupillis et viduis adque cuncto populo legem pleniter adque iustitia exhiberent secundum voluntatem et timorem Dei. Et si tale aliquit esset quod ipsi per se cum comitibus provincialibus emendare et ad iustitiam reducere nequissent, hoc absque ulla ambiguitate cum brebitariis suis ad suum referent iudicium; et per nullius hominis adulationem vel praemium, nullius quoque consanguinitatis defensione vel timore potentum rectam iustitia via impediretur ab aliquo.”

of circumstance, continually innovating, and reacting to events as they happened that shaped Charlemagne's rulership. This leaves us with a coherent, though not regular, style of rulership. Charlemagne may not have had a plan, but he had clear guiding ideas, pursued variably, and the ability to react to circumstance. Charlemagne knew what the *recta via* was, but the paths chosen to follow it varied significantly during the course of the reign.

Part III conclusion: an empire of practice

In a pair of influential articles, Timothy Reuter suggested that the continued expansion that characterized most of Charlemagne's reign had been a necessary motor of Carolingian success, so that when expansion stopped, the mechanisms of empire were consequently weakened.¹ I have questioned above whether Reuter's explanation of the end of expansion fully works.² However, the idea of constant expansion provides a helpful tool of analysis for thinking about change within Charlemagne's reign in political terms. Much like Reuter's emphasis on the importance of constant motion to shape military action, the reactivity and willingness to try things that was characteristic of Charlemagne's court created a continual political motion in the empire. The need to react to difficulties served as a prod to innovation. The intertwining of responsiveness and change thus itself became a method of structuring political action.

Jinty Nelson famously reminded us that Charlemagne "faced one god-damn crisis after another."³ These constant crises were not just challenges, however, they were opportunities. As Schieffer noted, Charlemagne was very good at manipulating such opportunities. But this is not the end of the story. The tendency to exercise power in particular ways meant that the court reacted to constant change with some characteristic responses, namely, by innovating and by making use of the constant shifts. In sum, this means that the constant crises help set the rhythm of a reign where change was not unanticipated, but constant, and where crisis could be a way to divert attention to new problems and away from the old. The fundamental message of our examination of change over time is thus that the political culture created by Charlemagne and his men depended on constant political change. This perpetual responsiveness, within a framework of consistent ideas and patterns of political response, of ambition and willingness to innovate, of a tendency to work around problems rather

¹ Reuter, "The End of Carolingian Military Expansion"; Reuter, "Plunder and Tribute."

² Reuter's interpretations have not been unanimously accepted. See discussion on pp. 368–9.

³ Nelson, "Making a Difference," p. 172.

than solve them, created an empire of practice. What this means is that the guiding forces behind how Charlemagne and his men ruled were much more pragmatic than ideological. Of course, there were ideological and moral concerns, which animated Charlemagne's rulership.⁴ However, day-to-day political life was shaped by immediate necessity and driven by a dynamic of change and experimentation. Charlemagne and his men did not have a theory of empire. Some of the courtly advisers, like Alcuin,⁵ may have done so, but when it came to acting out political life, the empire was an *ad hoc*, pragmatic creation, much of it learned in the conquered regions. By examining consistency, change, and failure we can see underscored the extent to which Charlemagne and his men figured out how to rule as they went along, while preserving a consistent framework of aims and patterns of response. What Charlemagne and his men did was create the territorial structure of empire, and then elaborate a practice of empire based on response to immediate concerns and to political challenges. It was for later generations to translate that practice into a clear governmental ethos.⁶ We will now end our evaluation of Charlemagne's rulership by considering the legacy of this practice of empire.

⁴ To provide just one example, one could point to the highly charged language used to prohibit homicide in the *Capitulaire missorum generale*, *Capit.* I, no. 33, c. 32, p. 97.

⁵ The best evaluation of Alcuin is now Bullough's *Alcuin*, *passim*.

⁶ Such as the penitential state traced so magisterially by Mayke de Jong: *The Penitential State*.

Conclusion: Charlemagne's invention of medieval rulership

At the end of his history of the civil wars that racked his generation after the death of Louis the Pious, Nithard writes "In the times of Charles the Great of good memory, who died almost thirty years ago, peace and concord ruled everywhere because our people were treading the one proper way, the way of the common welfare, and thus the way of God."¹ This passage has been read as a *cri de coeur* from Nithard over the sorry state of his own life and the condition of the realm.² It is that, but it also tells us something about Charlemagne as remembered by his grandson.³ For Nithard, Charlemagne was the ideal king, the standard by which all other Carolingians were to be measured, and the creator of a unity the loss of which Nithard profoundly lamented. Nithard's words about his grandfather can help us appreciate the great political success Charlemagne achieved in his own lifetime, as well as the deeply problematic legacy he left to his heirs.

Charlemagne's rulership

This book has argued that reinterpreting the reign of Charlemagne in terms of his managing of official service and his balancing of center and region results in a vision of Charlemagne's political world that is more flexible, reactive, and amenable to diversity than scholars usually give it credit for. By breaking down supposed oppositions between irregular

¹ Nithard, *De dissensionibus filiorum*, book 4, c. 7, p. 144. I quote here from the translation in *Carolingian Chronicles*, trans. Scholz with Rogers, p. 174. Good general surveys of the civil wars in English can be found in: Nelson, "The Frankish Kingdoms, 814–898," pp. 119–25; Fried, "The Frankish Kingdoms, 817–911," pp. 143–9; Nelson, *Charles the Bald*, pp. 105–31.

² For context: Nelson, "Public *Histoires* and Private History."

³ It is not an accident that Nithard begins and ends his book with Charlemagne: *De dissensionibus filiorum*, book 1, c. 1, p. 4; book 4, c. 7, pp. 142–4, and that he notes his own descent from Charlemagne (book 4, c. 5, pp. 138–40): Nithard is using Charlemagne to make a point about the failures of his cousins, but he was also in a position to know something about his grandfather and the history of the Franks.

exercise of power and successful exercise of power, between unity and lack of standardization, between reactive rulership and coherent political choices, we can perceive more fully the contours of Charlemagne's rule. Charlemagne and his men exercised their power strategically: They claimed extensive authority, but in practice tried to implement it only partially. They matched tools of political control to the circumstances in which they found themselves. They faced any political problem from multiple directions at once, and if it was at all possible to avoid a conflict, they did so. Thus, in attempting to exert control over his realm, Charlemagne and his men acted irregularly, but usually successfully. Their political actions were also characterized by a willingness, or indeed even at times a preference, to innovate. Yet, these innovations do not indicate a fully thought out plan of rule. The only really clear political turning point in the reign is the years around 790, when the king and his men switched their attention from conquest to governing what had been conquered. Neither the imperial coronation nor the last years of the reign, until perhaps the very end, mark political pivots. The political rhythms of the reign thus emerge from constant innovation, and a dynamic that depended on near-constant change and reactivity to circumstances. Charlemagne's empire required continual movement not physically but politically. What held this unwieldy empire together was a careful balancing of unity and diversity. The king and his men tried to centralize, but rarely to standardize. They built on the regional diversity they could not have eliminated. They insisted on an ultimate overarching political culture centered on the court, but then nuanced their efforts to rule to local circumstance, and often first attempted their most innovative techniques of rule in the conquered regions.

This vision of Charlemagne's rulership emerges when we look for patterns of power, that is, for tendencies in political response. The gaps in the evidence make it difficult to understand how Charlemagne exercised his power on an imperial scale. Yet, searching for patterns allows us to grasp the political shape of the empire in total despite the uneven and irregular survival of sources. What this new vision of Charlemagne's rule amounts to is a revised understanding of how the king and his men tried to govern. The irregularity that was also strategic, the willingness to innovate, if not always to admit this, the working with diversity – all helped define Charlemagne's political culture. Charlemagne's exercise of power can be best understood as a practice of empire, a rule that emerged out of pragmatism rather than ideology, which was adapted in reaction to circumstance, which was largely learned in the conquered regions, and which was, for the almost forty-six years of Charlemagne's reign tremendously successful. For the Franks, Charlemagne brought prestige, lands,

and new possibilities. For his successors, Charlemagne's reign was equally consequential, but also fraught with difficulty.

Europae pater: the legacy of Charlemagne

The Charlemagne Prize is awarded annually by the city of Aachen to a person or organization which has helped to foster European unity.⁴ For a medievalist, the invoking of the model of Charlemagne in present-day Europe may seem entirely inappropriate. But it does draw on a tradition reaching back in essence to the great king's death in 814. Rulers as different as Napoleon and Frederick Barbarossa have tried to imagine themselves as emperors in the guise of Charlemagne.⁵ The idea of Charlemagne as a standard for rule and the unifier of Europe goes back to his own reign. The anonymous poet of the Paderborn Epic, in describing the fateful meeting between Charlemagne and Pope Leo, which would result in the king's imperial coronation, called Charlemagne *pater Europae*.⁶ There is of course much that is problematical about this image. Yet, there are also ways in which Charlemagne so profoundly remade Europe that we can reasonably see him as *a* if not *the* founding father of Europe.⁷

We can perceive the continued impact of Charlemagne's reign in areas as diverse as the second-generation achievements of the Carolingian Renaissance⁸ and the tension between religious and political roles of bishops.⁹ One could argue that the ultimate impact of Charlemagne's rulership is that it established the boundaries of what was politically possible for the rest of the Middle Ages. The combination of kingship and empire, the ties to the papacy, the beginning stages of the push into the

⁴ See also the [Introduction](#), p. 3.

⁵ The literature on Charlemagne as a model for later rulers is extensive. I will just point here to a few works, which can provide further bibliography. On the memory of Charlemagne generally, see Braunfels (ed.), *Karl der Grosse*, vol. 4: *Das Nachleben*, ed. Braunfels and Schramm; Gabriele, *An Empire of Memory*; Gabriele and Stuckey (eds.), *The Legend of Charlemagne*; Kerner, *Karl der Grosse*; Morrissey, *Charlemagne and France*; Saurma-Jeltsch (ed.), *Karl der Große als vielberufener Vorfahr*; K.F. Werner, "Die Legitimität der Kapetinger." On Frederick Barbarossa, for example: McGrade, "o rex mundi triumphator." On Napoleon: Lentz, "Napoleon and Charlemagne." I would like to thank Camille Mathieu for this reference.

⁶ *Epos Karolus Magnus et Leo Papa*, p. 94, line 504.

⁷ See also the still useful remarks of Bullough, "*Europae Pater*."

⁸ On the later impact of the Carolingian Renaissance, see, for example, Stratmann, "Schriftlichkeit," pp. 266–74.

⁹ On the complex roles of Carolingian bishops, see pp. 54–63. Such contradictions later played out in the Investiture Conflict: Tellenbach, *Church, State and Christian Society*, is the classic study; other works include a basic account in: Goez, *Kirchenreform und Investiturstreit*; and some interesting perspectives in: Robinson, *Authority and Resistance*; on Carolingian roots of the Conflict: Blumenthal, *The Investiture Controversy*, pp. 1–7.

Slavic lands: All these go back to how Charlemagne exercised power. Not all the initiatives he began were followed up on, but most of what later rulers of the Middle Ages attempted had first been tried by Charlemagne.

Charlemagne thus invented medieval rulership because he created the particular combination of political structures and expectations that shaped Western Europe at least until the final end of empire in the West in the early nineteenth century. How Charlemagne in particular ruled was specific and unusual. And yet, the political culture he shaped out of Roman, Germanic, and Christian tradition influenced how his successors, immediate and otherwise, tried to rule. It may have been the Romans who first united Europe, depending on how we define our geographical parameters. But the heritage that formed Europe over the succeeding centuries is Carolingian, and in particular it is Charlemagne's. Charlemagne reunited Europe for a much shorter time period than the Romans. Yet, the consequences of the rulership he fashioned out of the traditions, including the Roman, available to him and his advisers, are visible in Europe still. Charlemagne's rule and its combination of kingship, empire, and expectations of political leadership shaped the world in which all subsequent medieval rulers acted. By setting up the rules of the game for the next 700 years or so, Charlemagne, and those who worked with him, invented the context, structure, and nature of medieval rulership. Out of Charlemagne's practice of empire emerged a European political culture that provided the framework for later medieval rulers.

Charlemagne's legacy to the Middle Ages was essential, but his impact on his immediate successors is more complicated. Charlemagne tried so many things during the course of his long reign that many rulers who wanted to compare themselves to him would have found precedents in his rule. Yet, the complexity of his example of rulership also posed some serious problems for his successors. Those who have studied the later Carolingians in recent years have often noted how much they based their own rule on what they imagined to have been the precedents set by Charlemagne.¹⁰ Yet, how Charlemagne ruled was entirely unsustainable. His rule was predicated on reactivity, flexibility, innovation, and things being done in more than one way. There was not just one way the king and court reacted to the circumstances in which they found themselves. This means that no matter how carefully later Carolingians tried to rule like Charlemagne, they could never have fully succeeded in this goal. The mixed legacy of Charlemagne to his Carolingian heirs is to have poured the foundations without leaving any clear building plans.

¹⁰ For instance, Goldberg, *Struggle for Empire*; MacLean, *Kingship and Politics*.

The recent scholarship that has sought to rescue Louis the Pious from his father's shadow begins from the premise that the expectations derived from Charlemagne's reign have distorted our understanding of his son. It is less generally appreciated that the reverse is true, namely, that sources and ideas from the reign of Louis have shaped how we understand Charlemagne.¹¹ When he argued that Charlemagne's reign failed because of its unrealized ideals, one thing Ganshof had in mind is the idea that the judicial reforms set out with such optimism in 802 came to naught.¹² But how do we know this? Other than the persistent corruption which marked the Carolingians,¹³ along with most other premodern polities and a good number of modern ones, why do we think justice faltered in the last years of Charlemagne's reign? The sources that actually assert this were produced during the reign of Louis.¹⁴ The biography of Louis by Thegan claims that Louis set out at the beginning of his reign to remedy the abuses perpetrated by royal agents under his father, an idea echoed in the Royal Frankish Annals in the entry for 814. The claim that Louis needed to fix the mess left by his father might seem to be buttressed by the plethora of charters in the first years of the reign, as institutions sought to have their privileges reinforced by the new ruler and to have their grievances addressed.¹⁵ But this is standard behavior under any new ruler and tells us little about how bad things were at the end of Charlemagne's reign.¹⁶ The accounts in Thegan and the Royal Frankish Annals need also to be read through the prism of Louis' reign and not as simple statements about reality under Charlemagne. Louis'

¹¹ See now Mayke de Jong's forthcoming work on how the narrative sources from Louis's reign have created misleading historiographical paradigms: de Jong, "Charlemagne after Louis the Pious." I would like to thank Mayke de Jong for sharing her unpublished work and discussing these issues with me.

¹² See full discussion in Part III.

¹³ For the persistent gap between Carolingian judicial ideals and actual practice, see Fouracre, "Carolingian Justice."

¹⁴ Thegan, *Gesta Hludowici Imperatoris*, c. 13, pp. 192–4: "Eodem tempore supradictus princeps misit legatos suos super omnia regna sua inquirere et investigare, si alicui aliqua iniustitia perpetrata fuisset; et si aliquem invenissent, qui hæc dicere voluisset et cum verissimis testibus hoc comprobare potuisset, statim cum eis in praesentiam eius venire praecepit. Qui egressi invenerunt innumeram multitudinem oppressorum aut ablatione patrimonii, aut expoliatione libertatis, quod iniqui ministri, comites et locopositi per malum ingenium exercebant. Hæc omnia supradictus princeps destruere iussit acta, quæ impie in diebus patris sui per iniquorum ministrorum manus facta fuerant. Patrimonia oppressis reddidit, iniustæ ad servitium inclinatos absolvit, et omnibus praecepta facere iussit et manu propria cum subscriptione confirmavit. Fecit enim hoc diu temporis." See also Royal Frankish Annals s.a. 814, pp. 141.

¹⁵ While we await the MGH edition of Louis' charters, see Böhmer, et al. (eds.), *Die Regesten des Kaiserreichs*, nos. 520–564 for the charters Louis gave in 814, his first year as emperor.

¹⁶ On such transition charters, see Koziol, *The Politics of Memory*, chapters 2 and 3.

takeover was vexed and he was preoccupied about the resistance he faced.¹⁷ The fraught start to his reign underscores the difficulties Louis had in establishing himself. These difficulties stemmed from the lukewarm support he received from his father, the stark difference in ruling styles between father and son, and the challenge facing any child of such a charismatic parent.¹⁸ The encouragement by Louis and his court of texts critical of Charlemagne, such as the famous *Visio Wettini*, with its connotations of sexual sin, is evidence enough of Louis' ambiguous response to his father.¹⁹ What these sources do is create a rhetoric of rulership for Louis' reign that cannot be assumed to have held for Charlemagne's. These allegations were a tool for Louis to distinguish himself from his famous father, not an objective reflection of the circumstances of Charlemagne's reign.

Despite the protestations of difference, what Louis actually did with his father's legacy was pick out the parts that worked for him, and build a more regular, sustained empire out of them. We misread Louis when we read onto him expectations formed from how Charlemagne ruled. Yet, we also misread Charlemagne when we read back to him expectations formed from how Louis chose in the end to rule. The Carolingian empire as it is generally envisioned in the historiography – a unified, Christian empire – was really the creation of Louis the Pious, not of Charlemagne. The unity that truly was based on standardization, the regularization of process, the ideology of empire: All of this was largely lacking from Charlemagne's rule but is typical of Louis.²⁰ Where an older narrative of Carolingian history saw Charlemagne as the founder of a strong empire that was ruined by the incompetence of Louis the Pious, this study of Charlemagne suggests an almost opposite narrative. Charlemagne created an empire of tremendous possibility but almost entirely erratic implementation. It was Louis who actually articulated a coherent structure, choosing carefully amongst the multiple possibilities Charlemagne left open to him. Charlemagne's legacy in some ways has more to do with the later shape of medieval Europe than with what it meant to run a specifically Carolingian empire.

¹⁷ Astronomer, *Vita Hludowici imperatoris*, c. 21, pp. 346–50.

¹⁸ For new interpretations of Louis' ruling style, see references in the [Introduction](#), pp. 14–15.

¹⁹ The classic text criticizing Charlemagne which emerged from Louis' court circles is the *Visio Wettini*. For commentary, see Dutton, *The Politics of Dreaming*, chapter 3, especially pp. 63–7. See also Collins, "Charlemagne and his Critics."

²⁰ I depend here on extensive new work on Louis; see [Note 53 in the Introduction](#) for bibliographical orientation.

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